FROM THE
PERSONAL LIBRARY OF
JAMES BUELL MUNN
1890 – 1967

BOSTON PUBLIC LIBRARY


Digitized by the Internet Archive
in 2013

http://archive.org/details/historyofengland02rank

HISTORY OF ENGLAND

L. VON RANKE

London

MACMILLAN AND CO.



PUBLISHERS TO THE UNIVERSITY OF

Oxford.

A

HISTORY OF ENGLAND

PRINCIPALLY

IN THE SEVENTEENTH CENTURY

BY

LEOPOLD VON RANKE

VOLUME II

Oxford

AT THE CLARENDON PRESS

1875

[*All rights reserved*]

Acc. 78-423 (323) vol. 2
DA 375. R198 vol. 2

CONTENTS.

BOOK VI.

GOVERNMENT IN ENGLAND WITHOUT THE PARLIAMENT. TROUBLES IN SCOTLAND.

		PAGE
CHAP. I.	Peace with France and Spain	3
„ II.	Share of England in the events of the Thirty Years' War, 1630—1636	15
„ III.	Monarchical tendencies of the Home Government .	31
	Taxes levied without a grant of Parliament . .	33
	Charles I's relations with Catholicism	38
	State of opinion in the Church of England at this time	45
	Further designs of the Government	51
	Public Affairs	54
„ IV.	Conflicting tendencies of the Age, and within the Kingdom of Great Britain	59
„ V.	Origin and outbreak of Ecclesiastical Disturbances in Scotland	71
„ VI.	The Scottish Covenant	88
„ VII.	Attempts at an accommodation. Independent Assembly of the Church	105

BOOK VII.

CONNEXION BETWEEN THE TROUBLES IN SCOTLAND AND THOSE IN ENGLAND AND ELSEWHERE.

CHAP. I.	Campaign of Charles I against Scotland . . .	121
„ II.	Relations of the English Court with the Court and Policy of France	138

PAGE

CHAP. III. Relations of England with the army of Bernard of Weimar and with the Spanish fleet under Oquendo 157
„ IV. Renewed disturbances in Scotland 169
„ V. Strafford and the Short Parliament 182
„ VI. The Scots in England 199

BOOK VIII.

THE LONG PARLIAMENT AND THE KING, DOWN TO THE OUTBREAK OF THE CIVIL WAR.

INTRODUCTION 215
CHAP. I. Summoning of the Parliament 216
„ II. The first sittings of the Long Parliament . . . 225
„ III. Progress of aggressive tendencies in the Lower House. Debates on Episcopacy 240
The Proceedings against Strafford 246
„ IV. Attempt at a Reaction 253
„ V. Parliamentary and popular agitation. Execution of Strafford 264
„ VI. Concessions and new demands 272
„ VII. Charles I in Scotland 280
The Irish Rebellion 283
„ VIII. Days of the Grand Remonstrance 290
„ IX. Formation of a new Ministry. Tumultuous agitation in the Capital 304
„ X. Breach between the King and the Parliament . . 315

BOOK IX.

THE ENGLISH CIVIL WAR, 1642—1646.

INTRODUCTION 335
CHAP. I. Origin of the Civil War 338
„ II. The Campaigns of 1642 and 1643 362
„ III. Fresh interference of the Scots. Campaign of 1644 . 383

PAGE

CHAP. IV. Preponderance of the Scots. Reconstruction of the English army 405
The Westminster Assembly 408
The Negotiations at Uxbridge 412
Dissensions in Parliament. The Self-denying Ordinance 415
„ V. The Campaign of 1645 423

BOOK X.

INDEPENDENTS AND PRESBYTERIANS. FATE OF THE KING.

INTRODUCTION 447
CHAP. I. Flight of the King to the Scots 448
„ II. Charles I at Newcastle 465
„ III. The Parliament and Army at variance 480
„ IV. Influence of the Agitators 495
„ V. The so-called Second Civil War 511
„ VI. Fall of the King 530

BOOK VI.

GOVERNMENT IN ENGLAND WITHOUT THE PARLIAMENT. TROUBLES IN SCOTLAND.

CHAPTER I.

PEACE WITH FRANCE AND SPAIN.

If we consider the embarrassment in which Charles I had been involved by his conduct of the war, we are tempted to assume that, in order to extricate himself from it, he must have opened negotiations with the two great powers with which he was at war whilst they were still at variance with one another. This however was not the case.

Negotiations with France were opened at the instigation of the powers combined to resist Spain, between which an agreement had first been set on foot by James I, and had been renewed by Buckingham. Those powers regarded the breach between England and France as a misfortune, which they must endeavour to obviate if they would carry on the war against Austria and Spain with full vigour. The Republic of Venice, which felt itself most seriously threatened by these powers, made a great point of promoting a reconciliation between France and England by the agency of its ambassadors.

A few days before his unhappy end, Buckingham withdrew with the Venetian ambassador, Aluise Contarini, into a retired chamber in one of his country-houses, and there concerted with him a letter of pacific import to his brother envoy in France, for him to communicate to the French court [1]. While Buckingham was preparing to strike a blow, he still hoped to procure

[1] Aluise Contarini, 20 Agosto 1628: 'Essendo trattenuto ben quatro hore a disputar, risolver et adomesticar il negotio: sempre coll' assistenza di Carleton che in questo fatto si è portato egregiamente.'

from France tolerable conditions for the besieged town of Rochelle. All other difficulties he thought might then be removed in a couple of hours.

But Buckingham was assassinated. When the Venetians after this event brought their negotiations before the King, who as yet knew nothing about them, he even refused to hear them. He quite recognised the necessity of finding some arrangement: 'I acknowledge all that,' he said one day to the ambassador; 'but,' he added, 'I have arms in my hands, not to negotiate, but to save the town. My honour is at stake[1].'

Though Rochelle, as we have seen, failed to hold out, the result cannot be ascribed to King Charles. After Lindsay's attempt to break through the mole had proved unsuccessful—we do not quite know whether on account of the superiority of the French, or from the above-mentioned deficiencies on the side of the English—Charles I gave orders to renew the attempt again, without any regard to the danger to his ships, and not to retire from the town whatever might be the cost[2]. On this the council of war had in fact resolved to lead the ships against the palisades by a way hitherto untried, when the town, despairing of help and overpowered by unendurable hardships, capitulated.

After the fall of Rochelle the Venetians resumed their attempts at mediation with redoubled ardour. King Charles was brought into a more favourable frame of mind by the tolerable conditions granted to the town in regard to the profession of religion, and by the evident impossibility of doing anything effectual in France: and Contarini now found him inclined to listen. But the ambassador was considerate enough not to urge the King, after he had been beaten in the strife, now to make overtures for its adjustment[3]: the negotiations were left more than ever in the hands of the Venetian ambassador in France, Zorzo Zorzi.

[1] 'Tutto è vero, ma il mio honor importa più.'

[2] 'That they should hazard for the relief of the town all his ships, that he purposed not to have it left re infecta, whatever it might cost.' Mead to Stuteville, in Ellis iii. 269.

[3] Contarini, Nov. 18. 'Non può con doppio dishonore et parlare et perdere.'

They were principally concerned with two points. The French demanded above all the execution of the provisions laid down in the marriage contract for the constitution of the Queen's household. Charles I not only refused to revert to these, he even rejected the conditions which he had consented to when Bassompierre was in England, and which the French at that time did not accept. He insisted that her court should continue as it was. He had made other arrangements for filling the offices in the household;—how could he take away their places again from the English lords and ladies who were in possession of them? He would not have any misunderstandings at his court, in his house, and as he said plainly, in his marriage bed. The Venetian ambassador in England remarked that it would be disadvantageous to the Queen if these demands were persisted in. And she herself also had already begged that they should be dropped, on the ground that she was satisfied with the present arrangements of her court: she did not even think fit to write about them to her mother[1]. However disagreeable it might be for the Queen-mother herself, and for the zealous advocates of the Church about her, her son and Cardinal Richelieu sympathised with the point of view of Charles I, or else they saw that he would not give it up: at all events they contented themselves with stipulating that, if an alteration in the court were necessary, they should come to an amicable arrangement on the subject, to suit the requirements of the Queen's service[2]. Even these words were merely accepted by the English in the avowed expectation that they would never be used to disturb the repose of the kingdom, or the mode of life of the King[3]. In brief, the execution of the former stipulations was given up by the French. In this matter, which most nearly concerned King Charles, he carried the day.

[1] Contarini to Zorzi: 'Mi manda a dire in molta confidenza che non vorrebbe disgustar il re interessandosi troppo in questo affare.'

[2] 'S'il y a quelque chose à ajouter ou à diminuer, se fera de part et d'autre de gré à gré.' Traité de paix fait à Suze, 24 Avril 1629, Art. iv. Dumont v. ii. 580.

[3] Zorzi to Contarini, Jan. 20, 1629: 'Che la Francia non vorrebbe servirsene, che da sola apparenza senza sturbar il riposo del re et il gusto degli Inglesi.'

The second point affected the old connexion between the English and the Huguenots. The former had hitherto claimed to regulate through their intervention, and to fix by compact, the relations between the French government and the Reformed Churches. Buckingham had already been disposed to drop this claim: and after the last turn which affairs had taken, there could be no more thought of maintaining it. The English plenipotentiaries were satisfied with a general pardon bestowed on the Huguenots by the King of France, reserving to them their Protestant worship. But the English had wished that it should be indicated, if even by the slightest expressions, that this concession was the effect of the peace[1]. Not that it should be a condition of the agreement, nor even that any interest in the result should be ascribed to England, but something was to be said about regard for peace as the foremost public good, and about the joint action between the two nations which was in immediate prospect. They thought that this was demanded by their honour, and they would not at once renounce all common feeling with the Calvinists. But the French returned a decided refusal. True as it was that the concessions that were vouchsafed to the Huguenots were based on the necessity of a closer connexion with England and Holland, which but for these could not have been agreed on, yet the French would not allow any hint of this to be dropped. They would have feared that occasion might thus be given for interference at some future time: in any case the authority of the government would have been damaged. The Venetian ambassador in London makes a merit of inducing Charles I finally to desist from this request. The principal reason alleged by him in support of his advice was that not only a question of religion, but an actual rebellion was here concerned, inasmuch as the Huguenots had leagued with Spain[2].

Thus was this peace concluded at Susa, April 1, 1629. In

[1] Contarini to Zorzi, Nov. 21: 'Questo parte (l'Inglese) piu non insiste d'esserne direttrice—punto grande guadagnatosi—ma vederebbe volentieri che Ugonotti non si dolessero da lei che li havesse abbandonati et il re vi ha riflesso.'

[2] A. Contarini designates this view as 'la massima con la quale credo d'haver portato questo negocio.' (8 Giugno 1629).

estimating the historical relations of the two kingdoms in general, great importance must be assigned to it. What had been brought about in the times of the Normans and Plantagenets, and once more during the great wars of the fourteenth and fifteenth centuries—I mean a most intimate connexion of French and English interest—had, as it were, repeated itself, although on a far smaller scale, during the religious wars. In the times of Queen Elizabeth and James I the French Reformed ranged themselves under the influence of England: even in the time of Charles I this had not ceased. On the other hand the French had sought to establish a counteracting influence on their side, especially by the late marriage contract. Neither of the two governments profited by this. In the peace of Susa they agreed to desist from this mutual action on one another. The French resigned the literal fulfilment of the marriage contract: the English renounced the connexion with the Huguenots which had hitherto been acknowledged. Relations into which religion entered could not be avoided, but the political sting, so to speak, was taken out of them. In France from that date the ascendancy of Catholicism could more decidedly be erected into a principle of the state: in England the court once more asserted its Protestant character.

For the moment the result of the peace was to untie the hands of France for the conflict with Spain. Every one knows what vast dimensions this assumed: it set fresh enmity between the parts of the world of that day which it rent asunder, and laid the foundation of the state of affairs which prevailed in the following epoch.

While France carried her arms into Italy, in order to force back the Spanish influence there, the King of England was to direct his forces to North Germany, in order to check the spreading power of the Emperor and the League. Maritime affairs at that time principally attracted the general attention. Wallenstein advanced a claim to sovereignty over the Baltic, but at the same time he intended to hold the ports of the German Ocean and the mouth of the Elbe in behalf of the Empire: and a combination between the Hanseatic shipping and the Spanish naval power was contemplated.

Roused by this unexpected danger, the Kings of Sweden and Denmark held a conference in February 1629 on the confines of the province of Halland, and united to defend the 'Regalia of the northern crowns on the Baltic sea[1].' The Danish ambassador exerted himself most zealously to kindle the sympathies of the Dutch and English also. And in fact the King of England, in transmitting the official notification of the peace with France, announced to the States-General that he had sent a squadron under Pennington and Colonel Mackay to the Elbe in order to encourage the King of Denmark[2], and he invited the Dutch likewise to support him. A short time before, Colonel Morgan with another considerable body of troops, among whom were newly enlisted French and Scots, had started from the islands of Sylt and Föhr and made an attack upon the troops of the Empire and of Gottorp at Nordstrand. But at this moment, when a new coalition embracing the South, West, and North of Europe, was again just about to be formed to check the advance of the house of Austria, Denmark, which was to have been supported in the first instance, came to an agreement with that power. In the beginning of June, at Lübeck, King Christian IV renounced his operations against the German empire; but in return he received back without loss of a foot of land his possessions in Holstein and Jutland, the greater part of which was in the hands of the enemy. If we ask what induced the Imperialists to make so extensive a concession, it was no doubt anxiety about that maritime coalition, for which great exertions were being made at Copenhagen. Even without this aid the Danish fleet was able to defend itself with much more success than the army: the Imperial and German navies, with all their combined force, were still far from being a match for it. The generals were afraid of reverses, and of a mischievous action

[1] Cp. Slange ii. 1. 378. Schlegel's doubts are done away by the news which Anstruther gave to England about the 'abboccamento seguito tra il re di Danimarca e Suecia, et i buoni concerti stabiliti tra loro per difesa del mar Baltico.' Dispaccio Veneto 1 Mayo, 1629.

[2] Aitzema: Saken van staet en orloogh i. 243. Contarini avers that the squadron, consisting of five ships, had gone in the direction of the Elbe.

of the Danish fleet upon the coast towns of which they had taken possession, and upon the German empire in general[1]. Charles I had just sent one of his ablest and most zealous diplomatists, Thomas Roe, a particular friend of his sister the Electress Palatine, to Hamburg, in order to bring about a northern alliance between the two kings, the Republic, and the Hanse towns[2]. He hoped still to delay the ratification of the treaty between Denmark and Austria, and to make it abortive. But all was in vain; the peace was far too advantageous to Denmark for the Danish councillors to give it up again.

Upon this most of the adversaries of Austria and Spain, even those in Italy, directed their gaze to the King of Sweden. The forces of the Emperor, which were no longer engaged with Denmark, were now twice as dangerous to him, and he appeared quite ready to take up arms if he should be supported by France and England. Cardinal Richelieu showed an inclination, if England would send a fleet to sea against Spain, to furnish a third of the vessels, and to make common cause in general with that power: he only wished that the undertaking should be carried out in the name of England. But the withdrawal of Denmark had quite a different effect upon the King of England, to whom the preservation of his uncle had supplied a motive for taking arms: he inclined on the contrary to follow the example set him by that prince. The Lord Treasurer Weston, who had to provide the money, looked upon the Danish peace as a relief: he breathed more freely when it had been concluded; for after the unhappy results of the last Parliament the want of money was so sorely felt by the government, that no one reckoned upon their fulfilling their engagements, and they themselves would undertake none. And such great injury had been inflicted on trade by the war, that the whole people

[1] 'Istis locis nullam esse classem, deesse navigia, quibus bellum mari possit sustineri,—Danis in promtu esse classem quam indies Sueci, Angli, Batavi novis augeant subsidiis.' Extract from the report of the Generals in Adlzreiter, Ann. Boici iii. 1821.

[2] Contarini, 29 Giugno: 'Per unir seco con qualche buon concerto tutto questo settentrione.'

cried out not only for peace with France, but also, just as loudly, for peace with Spain[1].

Under these circumstances Peter Paul Rubens, the painter, arrived in London bearing proposals from the court of Spain. The painter was also a clever diplomatist; his art served to cloak his missions. Two years before he had had an interview with Balthasar Gerbier, a skilful miniature painter, also a native of Antwerp, who had been employed by Buckingham on secret business: they had conferred at Delft in July 1627 on the establishment of peace between England and Spain. Rubens belonged to the court of the Infanta Isabella, and had made communications to her on the subject, but was reluctant to send his papers to Spain[2]; and besides, no one, he said, would have been able to extract information from them. He was therefore summoned to Spain in person, and was sent to England charged with overtures of peace on the basis of the plans sketched out. Extremely remarkable were the overtures which Rubens made. Although the estrangement between England and Spain had grown out of the affair of the Palatinate, Rubens made no attempt to settle this: he declared, on the contrary, that it was not in the power of Philip IV to restore the Palatinate to its former owner; that he would gladly set about it, but that it was dependent mainly on the Emperor and the Elector of Bavaria. Rubens however saw in this disagreement no absolute hindrance to the renewal of friendly relations, especially in regard to commerce, nor to the return of the ambassador of either power to the court of the other: he thought that the two governments must only abstain from framing new articles, and revert to the peace which King James had concluded with Spain at the very beginning of his reign, and which left several important controversies unsettled; that in the same way at this time the affair of the Elector Palatine, and even of the Dutch, might remain untouched;

[1] Contarini, 2 Giugno 1628: 'La pace gridata a piena bocca dei popoli o con Francia o con Spagna o con tutti, rispetto al commercio.'

[2] 'Je ne doute pas, que Rubens n'ait declaré nettement ce que Gerbier lui a proposé.' Lettre de l'Infante 1628, 31 Mai (Gachet, Lettres de Rubens); so that it seems as if people in Spain had doubts about it.

that Charles I need not give up either the one or the other, and yet might maintain peace with the Spaniards[1]. From our knowledge of this prince, these proposals, especially after the conclusion of the Danish peace, must have been most welcome to him. He also had now a freer prospect. Almost at the first moment when the arrival of the French ambassador was talked of in the Queen's presence, he had said to her that in the course of the year she might see the arrival of another from Spain. She answered, for she was not yet of his opinion, that he must only take care that no one deceived him afresh.

The world was already prepared for negotiations with Spain. The Venetians had so zealously promoted the arrangement with France, principally in order to anticipate them. People saw those persons again appear at court who were thought to favour Spain, and had been obliged to retire when Buckingham's ascendancy was established. To men's astonishment, Lord Bristol, once the great antagonist of Buckingham, now on the contrary himself acquired influence over the King. The Earl of Arundel, of the house of Howard, resumed his former place in the Privy Council. Closely allied with these men was the Lord Treasurer Weston, who principally exerted himself to save money with the object of relieving the King from the necessity of reassembling Parliament: it was owing to him that dissensions at home furnished a real motive for peace abroad. Weston himself, and Cottington, who was regarded as a staunch adherent of Spain, and who professed Catholicism with hardly any disguise, were selected to confer with Rubens; and that to the exclusion of the other members of the Privy Council, even of the Secretaries of State. Before the end of July they had made such progress that the matter could be laid before the Privy Council[2]. The King loved to sit in council: but on important questions he expressed his

[1] 'Che si confermi semplicemente l' ultima pace fatta col re Giacomo, lasciando il negotio del palatinato vergine senza parlarne, admettendosi nel resto in quel trattato l'assistenza a stati et altri amici di questa corona.' Contarini (here our principal authority), 20 Luglio 1629.

[2] According to Contarini (Aug. 3) we must date the decisive meeting of the Privy Council on July 19/29, 1629.

opinion so decidedly, that no one ventured to contradict him. Thus on the present occasion also he gave Weston's scheme his unqualified approval. Cottington, much to the annoyance of the French, set out for Spain: while on the part of Spain, Don Carlos Coloma, one of the Infanta Isabella's most trusty ministers—for a subordinate would not have been thought of—was appointed ambassador in England. Coloma was an old friend of Weston; and it is supposed that the basis of an agreement had been concerted between them beforehand[1].

In the negotiations however the question of the Palatinate presented a great obstacle; for King Charles and his ministers sometimes seemed unwilling to come to a conclusion unless the Spaniards undertook a formal obligation with regard to it. But the latter rejected conditions by which they would very likely have even been compelled to go to war with Austria and the Elector of Bavaria, and that at a time when peace had not been concluded between Spain and France[2]. Looking to the existing state of affairs in Europe, they refused to give up the fortresses that were so extremely important strategically, and which in that case might easily have fallen into the hands of others who were hostile to them. They adhered to a view of the situation fundamentally the same as that which had moved the King to break with them in the first years of his reign. But the lofty courage of that period had now abandoned him: he now dispensed with a stipulation like that which he had then demanded, and contented himself with a simple promise that satisfaction would be given him in the affair of the Palatinate. At the signature of the peace, an assurance of Philip IV on this subject, written with his

[1] There is an order to the vice-admirals extant, dated March 8, 1630, in which they are admonished to allow no rudeness or insolence to be shown to the ambassador of the King of Spain, who was expected to arrive shortly. Bruce, Calendar of State Papers 1630, No. 50.

[2] Contarini gives us part of the contents of a note of Coloma to the King of England: 'Pienissima attestatione che nel cattolico sia vivo e cordiale desiderio de sodisfare al re della Gran Brettagne in tutto quello piu si possj—che per ridurre in stato di riuscita il negotio della restitutione del palatinato sia necessario che prima di tutte le cose segua la pace tra le due corone nella quale debbe esser incluse il principe Palatino.' (26 Aprile 1630).

own hand, was solemnly delivered to him by Don Carlos Coloma [1].

And already there were indications that the Spanish influence might possibly this time produce more effect on the Emperor than before. The Emperor allowed a plenipotentiary from the Elector, whom he had laid under the ban, to appear at Ratisbon; and he showed a disposition to withdraw the ban and to allow the expelled sovereign an income out of the revenues of the country. Notwithstanding these offers the restoration of his territory was still very far off. Charles said to his sister, the Queen of Bohemia, that the agreement was a remedy which could do no harm, even if it did no good; that he acquired thereby a right to the cooperation of the King of Spain; that moreover he was taking steps to conclude a defensive and offensive league with France and the States-General for the restoration of the Palatinate, but that unhappily he did not find these powers so willing as he had expected [2]. We know from Queen Elizabeth's letters that she was calmed by these assurances [3].

The States-General had again rejected the proposals of the Spaniards for a peaceful arrangement, which in themselves were not acceptable; for they feared to endanger their existing government. The treaty of 1630 therefore caused them certainly not less uneasiness than that of 1604 had done. Charles I repeated to them assurances similar to those which were then made, that his alliance with them, as far as their state and religion were concerned, should not be prejudiced on that account.

It was the wish of Charles I to revert to the policy of his father. Experience had taught him that he could no longer advance in the path on which he had entered while still Prince

[1] 'A writing under the King of Spain's own hand and seal, promising never to take off his hand from that negotiation, until the King our master should have entire satisfaction touching the restitution.' Windebank to Aston, in the Clarendon State Papers i. 780.

[2] Letter from the King to the Queen. Rushworth ii. 61.

[3] 'Though I am not much rejoiced at it, yet I am so confident on my dear brother's love and the promise he hath made me not to forsake our cause, that it troubles me the less.' (Elizabeth to Carlisle, June 1630, in Green's Princesses of England v. 482).

of Wales, and which he had continued to follow after he became King. He had plunged himself into the gravest political embarrassments; and, although the hostility between Crown and Parliament had long been threatening, he had caused the first open outbreak. He now wished to establish tolerably good relations with both the two neighbouring powers alike. With France he felt himself more intimately connected in the great affairs of Europe, and he took good care not to loosen this tie: he did not drop the cause of the Elector Palatine; but he wished at the same time to open commercial intercourse between his country and the extensive and wealthy provinces of the Spanish monarchy. When Cottington returned home from his embassy, he had the silver brought by the ship in which he came laid upon wagons, and carried in a sort of procession through the town. For he intended the inhabitants to be impressed by the opulence of the country, the commerce of which was reopened to them by the treaty just concluded.

Charles I shrank from bringing his whole strength to bear upon the great questions of religion and politics which engrossed the continent, that he might above all be the King of Great Britain. We may certainly ask whether he was morally entitled to renounce his connexion with European affairs after he had contributed so largely to increase the existing confusion, and to bring the Protestant cause to destruction. And moreover such a severance was hardly possible any longer. Religious and political sympathies and conflicting tendencies had become so strong on the continent of Europe, that in one form or another they could not fail to react upon Great Britain as well.

CHAPTER II.

SHARE OF ENGLAND IN THE EVENTS OF THE THIRTY YEARS' WAR, 1630–1636.

CHARLES I had told his sister that the conclusion of peace with Spain did not hinder him from forming an alliance with Sweden. And in fact, in the summer of 1630, as soon as Gustavus Adolphus appeared in Germany, we find one of the principal nobles of Scotland, James Marquess of Hamilton, collecting English and Scottish levies with the support of the King, who handed over to him the proceeds of a Scottish tax for that purpose. One part of this force embarked at Leith, the other at Yarmouth; and towards the end of July 1631 they landed at Usedom, as Gustavus Adolphus had done a year before. The English have always affirmed that the arrival of Hamilton with a considerable body of troops contributed materially to the decided successes of this year of the war. And with good reason; for they gave the Protestant princes greater confidence in their cause and made the Emperor anxious for his territory of Bohemia. Hamilton was one of those personages of high rank who gave themselves up to the cause of the Queen of Bohemia with chivalrous devotion. While the King of Sweden was pressing forward into Saxony to try his strength against the arms of the League, Hamilton guarded the passage of the Oder to provide for the possible contingency of a retreat: but after the decisive battle at Breitenfeld, not far from Leipsic, he turned his steps to Lusatia and Silesia. How advantageous would King Charles have found it for his purpose, which he thought to promote by combining Spanish influence and warlike demonstrations in support of it, if he

had been able to offer places in Silesia in exchange for those in the Palatinate! Hamilton had taken Guben, and was on the way to Glogau, when Gustavus Adolphus, chiefly out of regard to Saxony, gave him orders to turn aside towards the Elbe to besiege Magdeburg. Hamilton looked upon this as an intentional injury done to Queen Elizabeth and her consort. As the King of Sweden was advancing into West Germany without a check, Hamilton hurried after him, hoping to be put at the head of a separate division, and charged with the reconquest of the Palatinate. But the number of the Scots and English had already melted away to a great extent, owing to the unhealthiness of the climate and to their marches through a devastated country: they were besides at variance among themselves, so that he now threw no weight into the scale. It was intimated to him that every one knew quite well that he was not prosecuting his own cause, but that of the King of England: but that no one would help him to attain his party-end by these means.

Gustavus Adolphus was convinced that the enemy would not be able to drive him out of Germany. He was more afraid of the coldness and jealousy of his allies, who could easily undermine his authority[1]: and he looked upon Charles I as one of them.

At Frankfort on the Main Henry Vane presented himself before Gustavus Adolphus as ambassador of the King of England, in order to invite him to restore the Elector Palatine to his country. The King of Sweden made various objections, founded on his relations with France, which was again showing much regard for the Catholic princes; but he principally urged the request that King Charles should break with Spain[2]. People feared that whenever the King of England saw his brother-in-law restored, he would throw himself entirely on the side of the Spaniards. If, as Charles I said, his relations were such that an agreement with Spain did not prevent him from forming a connexion with Sweden, they yet involved the consequence that this was never very

[1] Roe to Henry Earl of Holland, in Bruce Calendar 1631–1633, Pref. x.

[2] Report in Rushworth ii. 132.

close; for Sweden was allied with France, whose interests ran exactly counter to those of Spain.

Gustavus Adolphus saw with pleasure that the Elector Frederick, with the support of the States-General, of the Prince of Orange and the King of England, joined his camp and followed it for a time. Frederick was present when Gustavus Adolphus conquered Kreuznach, formerly one of his towns; and it appears possible that the reviving affection of his subjects contributed to the result. A couple of English regiments were also engaged here[1], and Frederick welcomed them with satisfaction. He attended the King on his victorious march to the Lech and into Bavaria; every word the King uttered strengthened his hopes of returning in a short time to his country as sovereign. But when he now desired to come forward on his own account and to arm, Gustavus Adolphus would not accede to his wish. He gave him to understand that this would interfere with the success of his own enlistments. The King even hesitated to replace in his hands the government of those circles of the Palatinate which had been reconquered; at all events he annexed to his consent the condition that the Lutherans should be allowed free profession of their faith. Everything led men to expect that if he wrested from the Spaniards the two strongholds which they still retained, he would keep them for a time in his own hands. Even in this moment of apparent success Frederick endured hours of sadness and heavy sorrow of heart. He once with tears in his eyes told Hamilton and Vere that he had rather be out of the world than obliged to submit to the conditions imposed by Sweden.

In October 1632 Frederick returned to his country. But in what a plight did he find it on his return! Oppenheim, where he wished to take up his residence, was half burnt down; the houses that were left standing had no bolts or bars, no doors or windows. To avoid being carried off by the first active bands of marauders, he set out for Mainz; but a pestilent sickness was raging there; he was attacked by it and perished, far from his wife and children. He had paid for

[1] Letter to Lechhausen, April 1632. Rushworth ii. 175.

the short possession of a throne, which his own unassisted strength was too weak to maintain, by a fugitive's life, in which many yielded him their sympathies, but none the help of which he stood in need.

At that time his death was hardly remarked, in presence of the great loss which the whole Protestant cause and the world in general experienced when the King of Sweden fell on the battle-field of Lützen.

The two events exercised a concurrent influence upon England. King Charles, after his brother-in-law's death, regarded it as his duty to identify his nephew's cause still more closely with his own. The death of the King of Sweden made his task easier, inasmuch as the strong will, which had hitherto controlled every design, had now ceased to act. Charles I now immediately invited the Protestant sovereigns of Germany to carry on the war, by which the Palatinate was to be restored; and in return he offered to continue to them the subsidies which he had contributed to the King of Sweden. And Chancellor Oxenstiern, who guided the Swedish policy, had weighty reasons himself for respecting the interests of the Palatinate, as they were linked not only with so many others in the Empire, but with those of the Netherlands besides, and just now with those of Great Britain[1]. In May 1633, at the convention of Heilbronn, where the English ambassador Anstruther appeared among others, the cause of the Palatinate received more consideration than it ever had before. Electoral rank was conceded for the first time to the plenipotentiary of the Palsgrave Louis Philip, who came forward as administrator of the Palatinate in the name of the Elector Charles Louis, who was still a minor. The Chancellor of Sweden promised them the restoration of the whole country, so far as it was in Swedish hands: and in the Consilium formatum, which it was determined at Heilbronn to set up, to act in conjunction with him, the Palatinate occupied the first place. In return the administrator granted the restoration of the Lutheran faith: he left Mannheim, as well as other im-

[1] Chemnitz: Schwedischer Krieg ii. 87.

portant places, in the hands of Sweden for the time, and made himself answerable for the payment of 60,000 reichs thalers. These however the English ambassador undertook to furnish; and in fact we find that immediately after this time £15,000, which at that time was about equal to the sum stipulated, was despatched to Germany. The King and Weston were well pleased that England was not named in the treaty, nor pledged to further advances [1]. They now thought it preferable to leave the matter alone.

But the help of England could not but be often claimed hereafter in aid of this cause.

In the summer of 1633 there was much talk of invoking the sympathies of the English nation in behalf of the widowed Queen Elizabeth and her children. Her friends flattered themselves that half a million thalers might be raised by voluntary contributions; and Nethersole, one of the Queen's most trusty friends, was in the country to conduct the transaction, which was to be carried out in the name of the Princess and of the King. But it was soon perceived that the nation was not so forward as had been expected; for it saw in this scheme an attempt to evade the necessity of a Parliamentary grant. In order to meet this suspicion the sketch of a proclamation was laid before the King, in which the remark was made that he would measure the loyalty of his people by the amount of their voluntary contributions, and would be the more ready to seek their help in another way when the time for this should have arrived [2]. But this clause displeased the King, because it contained a promise which he was reluctant to give, that Parliament should be summoned; and he struck it out with his own hand [3]. On this the whole project fell to the ground, for without an assurance of this sort the Queen's friends had no hope of effecting anything.

[1] Gussoni, 27 Maggio 1633: 'Ha fatto vedere il secretario, che nell' estesa della scrittura, con avveduto riguardo dell' Armstruder a niente rimaneva impegnata l'Inghilterra,—il trattato si stipulò tra l'Oxistern et l'administratore solamente per mezzo di deputati di quel duca, il che qui piacque sommamente.'

[2] Ib. 29 Luglio. 'Il motivo pare habbia risvegliato nei sudditi nuovi susurri che no convenga esborso di danaro per altra via che per l'ordinaria del parlamento.'

[3] Documents in the Clarendon Papers i. 57.

Towards the end of the year 1633 there was a moment when the Emperor again obtained advantages on the Upper Rhine; and the attention of King Charles was called to the inability of the territory of the Palatinate to resist even a feeble attack from the side of Alsace. The administrator asked for only a small force of 6000 infantry and 1000 cavalry, which after it was once raised might be kept in pay for £6000 a month. The Queen of Bohemia, the States-General, and the French ambassador united their requests with his; the Chancellor of Sweden sent his son over to recommend the King most strongly to accede to them: but the King and his treasurer shrank from a new and regular outlay, which in the present instance was sure to entail much other expenditure. At last they raised 100,000 thalers for Germany, and sent the administrator a gold chain in order to keep him in a good humour: but they could not be moved to undertake an obligation which could lead to the assembling of Parliament.

We should remark however that they were withheld from decisive action, not only by want of money and by fees of Parliament, but also by general political considerations as well.

In the last few years, since the leading of the King of Sweden in Germany, the importance and power of the French had immeasurably increased. They had the Protestant interest in Germany on their side, and they already exercised a decisive influence on the Catholics also. In all their proceedings it was seen that, notwithstanding the advantages which they won, their allies derived no benefit, but that on the contrary they only endeavoured to make their own position so strong in order to be raised above all need of considering the interests of other powers. Only one other state, Holland, raised itself side by side with them to daily-increasing importance. Just at that time the Dutch had thrown their English rivals into the shade: they had founded their East Indian empire, they had established a footing in Brazil, they had captured in the West Indian waters the Spanish register-ships which went from Mexico to Havanna with all their rich cargo—an achievement which the English had so often attempted in vain; and in their

domestic waters, in the narrow channel of the Slaak, they had annihilated the fleet of the Infanta Isabella which was sailing to attack them. In consequence of this they also became masters of the neighbouring seas. They did not hesitate to seek out ships under the Spanish flag, especially those of Dunkirk, in English ports, or in English waters, and to take them across to Holland as their lawful prize. And even on land at that time they achieved important results. By the successful surprise of Wesel they not only again secured their own frontier, but once more infused some portion of vital power into that principality on the Rhine, which had been formerly founded there by Brandenburg in conjunction with England, but which certainly required a longer time for its development. The sieges of Bois-le-duc and Maastricht, notwithstanding so many other great events, riveted at that time the attention of Europe. The success of the Dutch in these two enterprises appeared a proof of their general superiority; the provinces of the Spanish Netherlands were much straitened by it. And as it revived in those provinces the hereditary feeling of dislike to a foreign rule, Holland and France on their part might well think of availing themselves of this dissatisfaction, and of putting an end for ever by a sudden attack to the rule of Spain.

It is quite plain how great a blow the English would have sustained if the whole coasts of this part of the continent had fallen into the hands of these two neighbours, whose close alliance was in itself very offensive to them[1]. Against the danger of being entangled in continental affairs, and of feeling their reflex action in Great Britain, Charles I had to set off the other danger, if he held aloof from them, of seeing new powers develop during their progress, which might make his position most critical. In order to acquire the means of resisting the ascendancy of France and Holland, he was obliged to make fresh advances to Spain.

We can hardly form an idea for ourselves how much the relations between England and Spain changed and shifted in

[1] The French ambassador Seneterre writes on the 28th of April 1635: 'La grande liaison de M^ss^ les états avec le roy (de France) leur donne grande jalousie.'

the great conflict which was going on. In the year 1631 a scheme was drawn up for a great attack of the English and Spaniards upon the United Netherlands, as a result of which Zealand should fall to the lot of the former. As yet indeed there was no treaty, but only a plan sketched out for further consideration, which Charles I avoided accepting, although Cottington seems to have approved of it[1]. But we see at all events to what the aim of the Spaniards was directed. After a short time, when they found themselves deceived, they entertained designs of an entirely opposite character. A detailed plan of Count Olivarez is extant, according to which Spain and France were to undertake a general attack upon England[2]. England, Scotland, and Ireland, were each to be attacked separately, and internal animosities of every kind were to be invoked in aid of the invaders. An idea was entertained of placing the young Elector Palatine on the throne of England, under the condition that he guaranteed full religious liberty and restored the expelled Irish to their lost inheritance. On the other hand, in the summer of 1634 an alliance between Spain and England was again in progress. Weston, Cottington, and Windebank, took counsel with the Spanish resident, Don Juan Nicolalde, for this object, in such entire secresy that even Coke, the Secretary of State, had no information about it. The King besought the court of Brussels, which on this occasion as on others he was obliged to take into his confidence, to apply to no one about this matter except himself and Windebank. The overtures which he made to Spain at that time are accounted for by the ascendancy of the Dutch marine and the rise of that of the French. The claim of England to exercise a sort of supremacy over the neighbouring seas, was once more called in question. The English contended for this right in learned treatises[3]; the King of France on the other

[1] Arundel to Windebank, in the Clarendon Papers i. 611: 'Oñate confessed that the paper given My lord Cottington was never any ground of treaty, but only as considerations of conveniency between the two crowns, which must fall to a fit consideration after.'

[2] Parrafos de un papel del conde duque. 1633, Archives of Brussels.

[3] Selden: Mare clausum. The title-page of the English translation contains the words: 'In the Second book is maintained, that the King of Gr. Br. is lord of the

hand showed a determination no longer to acknowledge it. For, as his ambassador said, everything must have its foundation in reason; the usage of the sea only required that the less powerful should show honour to the more powerful; even England could have no other claim: and what would happen if the relative power of different states varied? The English would not entertain this supposition, for they clung to the principle that their navy must have the superiority over that of all their neighbours [1], for this reason, if for no other, that, if it had not, their neighbours could throw a far superior army on the shores of England. And another principle was asserted at that time, which did not find full acceptance until a quarter of a century later, viz. that there must be an equilibrium between the European powers; for fears were already felt lest France should become supreme by sea as well as on land [2]. Moreover King Charles was implored by English merchants to protect them against the insults to which they were exposed, while he was not even in a condition to give effect to his ordinances, e.g. those which concerned the fisheries: he therefore cherished the ardent wish to be able again to show himself strong by sea; it was to a Spanish loan that he looked for the requisite means. For even in reference to this object he was cramped by his misunderstanding with Parliament. We shall see hereafter how fatal to the development of domestic affairs were the measures which Charles I was induced to adopt in order to attain this end. Certainly Spain, fully occupied by the war in Germany, and threatened just now by a French war in the Netherlands, could not give him the assistance he desired. But even though no subsidy was forthcoming, yet at all events a common tie of interest between England and Spain again grew out of the situation of affairs.

circumfluent seas.' The book was looked over by Charles I, and expressly sanctioned by the Privy Council, March 26, 1636.

[1] Gussoni, Relatione 1635: 'É massima fondamentale di stato in Inghilterra d' invigilare sempre ad essere più potente di tutti i suoi vicini sul mare.'

[2] Coke says to the Venetian ambassador, who is speaking to him about the old alliance of the Union: 'Tutto sta bene, ma bisogna avvertire che le cose restino in fine nel proprio equilibrio e che la bilancia non preponderi nè dall' uno nè dall altro canto.' (Gussoni, 16 Maggio 1634.)

And this necessarily produced its effect on the treatment of the controversy about the Palatinate. For, if in the general conduct of affairs the King was inclined to favour Spain, how was it to be expected that in the affairs of Germany he would with all his heart support the allies of the French, whose ascendancy he was already beginning to fear? The relation in which England thus stood had already at times been advantageous to the Palatine dominions. After the battle of Nordlingen, which restored to the Imperial arms their superiority in Upper Germany, those districts had had some mercy shown them, at least for a while, owing to this consideration; though on other occasions it was completely lost sight of. In England an intention was cherished of supporting the young Elector with the whole weight of the British name, when in January 1636, on entering his eighteenth year, the time should come for him to claim his hereditary rank and position; for whatever guilt the father had incurred, they thought that it could not be imputed to his children. In this matter the King had reckoned on the good offices of Spain, and on the favour of the Emperor. Then came the news of the treaty of Prague, the fulfilment of which was based upon a new dynastic connexion between the whole house of Austria and Bavaria, and upon the concurrence of the Elector of Saxony. The former stipulations made in favour of Bavaria with regard to the Elector's dignity, and the dominions of the Palatinate were therein expressly confirmed: the sister of Charles was promised her personal property, and his nephews a maintenance proportioned to their rank so long as they submitted; but these concessions were granted as a favour and not as a right[1]. These tidings produced on Charles I an impression of the most painful surprise; he would hardly believe them: but he thought that, if they were true, every effort must be made to cancel the agreement. Now too, very much as in the year 1623, the Stuart policy depended on the conclusion of an agreement with Austria and Spain. Instructions of this import were given to Lord Aston, who went as envoy to

[1] The articles in Khevenhiller xii. 1696.

Madrid: and John Taylor, an agent who was not without experience in these transactions, was sent by Charles to Vienna to protest against the provisions of the treaty, and to bring the Emperor to another determination.

Taylor was one of those diplomatists who find their whole happiness in the success of the mission committed to them: who accept as perfectly genuine all the overtures made to them in regard to this object by foreign courts; and therefore try to induce their own government to accept them. In Vienna he fell in with John Leslie, one of the agents in the murder of Wallenstein, who at that time was in high favour with the court, and who introduced Taylor at the different princely houses and procured him a good reception there. They both thought the alliance of Charles I with the house of Austria the only hope for the world. How glorious, they thought, would be the position of this monarch: he would then be the most powerful of European sovereigns. The Jesuits had already on one occasion, in a play performed at their seminary at Prague, celebrated King Charles as the restorer of universal peace. And how could the Imperial court itself fail to be sensible of the advantageous prospect held out to them by a connexion with England? On the 24th of February, 1636, the Emperor declared that he would free the Count Palatine, Charles Louis, if he made proper submission, from the ban under which he had been laid owing to his father's guilt; that he would again receive him among the Princes of the Empire, and enfeoff him with no mean portion of his father's possessions: that if negotiations about the electoral dignity were then opened, he would give proof of his favourable disposition to the King, as well as to the young Prince, conceding everything which could be granted to them under fair conditions[1]. These were well-considered words, which made no promise but held out all the greater hopes. Taylor interpreted them to mean

[1] 'Ubi ad tractatus ventum fuerit quoad dignitatem electoralem et reliqua petita, cum (S. C. M.) servatura sit modum, ut in iis quae aequis conditionibus concedi poterunt habeat cum serenissimus Britanniae rex, unde studium in se at benevolentiam, tum supradictus quoque Palatinus propensam in se gratiam possit cognoscere.' Clarendon Papers i. 461.

that the Lower Palatinate on both sides of the Rhine would be restored at once; that negotiations about the Upper Palatinate would be set on foot, and that the dignity of Elector would be transferred to the young Palsgrave after the death of the Elector of Bavaria. He reported that Charles I would receive an assurance on the subject in writing from the Emperor, and his son the King of Hungary, and also from the King of Spain; and that the young Prince would be married to an archduchess, and become greater that any Elector Palatine had ever been. He said that the Queen of Hungary, to whom Charles had once paid court in Spain, had not yet forgotten him, and that the old Elector of Bavaria was derided by her court; that it was intended to restore the old Burgundian alliance between the two houses; that even the Spanish ambassador Oñate, who was at first less favourable to the plan, had said that Spain wished for the friendship of the King of England, not in part but altogether, and only hoped that he would renew his ancestors' claims on France[1].

In England, Taylor's ardour had never been approved; but the affair seemed to have reached a point at which further negotiations might be committed to one of the magnates of the kingdom, Thomas Howard, Earl of Arundel and Surrey, Earl Marshal of England, whom the King had once rightly styled the most distinguished of his subjects[2]. From the statements of the Secretary employed in these affairs, it is clear that Charles would have been quite contented with such terms as might be hoped from the tenor of Taylor's despatches. In June 1636 we find Arundel at Linz, where at that time the Emperor had arrived on his way to the meeting of the Electors, which was to be held at Ratisbon, for the choice of his successor.

But a very unexpected difficulty showed itself at once. The full powers entrusted to the Imperial commissioners

[1] Taylor to Windebank, March 3; Clarendon Papers i. 454.

[2] 'Upon a confident assurancy of Taylor that H. Maj. shall have both the Emperors and King of Spains assurancy under their hands for a present restitution of the lower palatinate and of the electoral dignity after the death of Bavaria, H. Maj. hath made choice of the Earl Marshall.' Windebank to Aston, ibid. i. 508.

appointed to negotiate with Arundel, rested on the assumption that an offensive and defensive alliance would be concluded between England and the house of Austria. Arundel was one of those statesmen who were generally considered to favour Spain; but he was haughty and measured, and had neither inclination nor authority to form so close an alliance. England wished to conclude a treaty with both lines of the house of Austria as secretly as possible, in order to be able on the one hand to offer resistance to the French by sea, and on the other to promote the interest of the Elector Palatine: but she did not desire to plunge into open war with Holland and France. The Imperial ministers referred to Taylor's overtures; but the latter proved that he had spoken, officially at least, only of an intimate understanding, and not of an offensive and defensive alliance[1]. Arundel remarked, that the understanding could only be of such a character that all other sovereigns also might be admitted into it. He was out of humour that the other side should have intended to lead him unperceived further than his King thought of going.

Although this beginning certainly argued no good, the negotiations were still by no means rendered hopeless, so long as the prospect of a close connexion was maintained. On the contrary, though Arundel had at first pressed for the restoration of the Elector Palatine to his full rights, he now only asked whether such a restoration might be expected, at least at some future time. The Imperial ministers repeated the declaration given on the 24th of February, with the additional statement that the King of England might promise himself the more affection from the Emperor as the ambassador gave assurance of the sincere good intentions of the King towards him: but they proceeded to indicate the conclusion of an alliance as a necessary condition. Further progress was deferred until the time of the negotiations, which were to be conducted at Ratisbon[2].

[1] 'Foedus arctissimum,' out of which, in the letter of authorisation to the Emperor's plenipotentiaries, had grown a 'foedus tam offensivum quam defensivum.'

[2] The declarations exchanged are in Khevenhiller xii. 2103.

For these negotiations nothing was more needful than that the Imperial ministers should first of all be agreed among themselves how far they were willing to go. But how could they have taken any steps at all without conferring with Bavaria? In the face of the impending Diet of the Electors, they could least of all have ventured to affront the powerful sovereign, with whom so many others took part. They sent a special mission to invite him to express his views to them categorically: at the same time they called his attention to the importance of the English fleet at that juncture.

The Elector Maximilian attached little weight to this. He answered, that Germany certainly had nothing to fear from this fleet, and that France, which was just as well equipped by sea, would not be deterred even by the enmity of England from extending its power in Germany: that Charles I moreover could not long keep his fleet at sea, for that he was on bad terms with his Estates of the realm, without whose assent he certainly could not reckon upon any permanent contribution. It is remarkable that this consideration which exercised so much influence on the decisions of the King himself, also affected the attitude of other powers towards him, and influenced a negotiation carried on between Austria and Bavaria.

But even apart from this, what would come of it, Maximilian asked, if concessions were made to the presumptuous demands of England? He said that for his part he was not disinclined to surrender under certain conditions the district of the Lower Palatinate, which he had in his hands, but not the Upper Palatinate, which he held in pledge: that the Emperor by virtue of his authority had made over the electoral dignity to him and his house for ever: that this settlement had been made in concert with the other Electors, and that his father and cousin, the Emperor, would not wish to reverse it: that he could not, if he would.

On the resumption of negotiations with England, Count Olivarez remarked that they had been broken off for other reasons, no doubt those very reasons which arose out of the stipulations of Saxony and Bavaria with regard to the Palatinate. He thought however that even now Charles I would

A.D. 1636.

take no decided action in behalf of Spain, and would always look to his own interests alone. The great successes of the Spanish army in the year 1636 perhaps enhanced his self-confidence: and when negotiations were renewed, the Spaniards were rather on the side of Bavaria than on that of England.

The Imperial court was then confronted by the same question which had formerly been discussed in Spain in the year 1623. Was it to show compliance towards England, and for the sake of this break off its connexion with Bavaria, and quarrel with Spain? The question was submitted to the Emperor's successor, who decided that in this case England must be disregarded [1].

A formal answer to this effect was communicated to Arundel at Ratisbon on September 12. The restoration of the Count Palatine to the Electorship was deferred until events should have happened, which seemed to Arundel about as near as the end of the world. He remarked that, if his sovereign had been told this before, he would never have sent him to Germany. He returned to England deeply incensed, for he thought that, personally as well as officially, he had not met with the consideration which he had a right to claim.

This was the second time that the Austro-Spanish house refused to draw closer to England from regard to its relations with Germany. There is no doubt that, for the German branch in the present state of affairs, the maintenance of Catholicism and of an alliance with Bavaria outweighed all other considerations. But was this the case also with the Spanish branch? For it, both for the sake of the monarchy and its general position in European politics, a closer agreement with England even under the Stuarts would have been of inestimable advantage. Olivarez differed from Lerma, in that the latter studied most carefully the general and maritime interests of Spain, the former her interests in Germany and on the continent. The mistake of the first

[1] The King of Bohemia delivers his opinion that 'whereas owing to their unreasonable wishes either the crown of Spain and Electoral Bavaria, or England must be rebuffed, it were desirable to retain the old confidence and tried friendship of Spain and Electoral Bavaria, rather than to commit themselves to an untrustworthy alliance with England.' Khevenhiller xii. 2122.

Stuarts lay in this, that they thought to find in Spain the centre of gravity of the joint relations of the two houses, even after it had been transferred to Austria. In that long and bloody conflict between all the continental powers, which we term the Thirty Years' War, England also had her interest. James I and Charles I never wholly lost sight of the principal aim of their continental policy, the restoration of the Elector Palatine. But they never staked their whole power on the issue. They once stirred up Denmark to conduct the cause; they then allied themselves with Sweden in order directly to attain their object. But for all that they would never adopt as their own the common political point of view of the Protestant powers. They would far rather, from first to last, have procured from the Emperor the recovery of the Palatinate by means of Spanish influence. But even for securing this the means which they set in motion were not sufficient. Their misunderstandings with Parliament rendered strong measures on their part impossible, just where it was most necessary. In the great continental struggle which must be decisive as to the future condition of Europe, the Stuarts could not interfere to influence the result. Meanwhile they were pursuing their own special end.

Whilst the agitation of the world was at high tide, Charles I in his insular domain, which was affected by it without feeling its full force, was scheming to establish for ever the kingly power.

CHAPTER III.

MONARCHICAL TENDENCIES OF THE HOME GOVERNMENT.

AMONG the English ministers Lord Treasurer Weston, who at that time exercised the greatest influence upon foreign affairs, and had almost the sole direction of domestic matters, afforded a signal instance of successful activity. He had formerly taken office, when matters were almost desperate. The English were still at war with both the neighbouring powers; enormous demands were made for the support of the forces by land and sea. The former moreover were burdensome to the districts on which they were quartered: none of the civil officials had been paid for several years: the considerable burden of debt which James I had bequeathed to his successor (£1,200,000), was increased a third by the years spent in war; and as interest was paid at the rate of 8 per cent. for the earlier, and 12 per cent. for the later loan, it absorbed the greater portion of the revenue. But this latter, which was principally derived from customs, had been rendered precarious by the dispute about tonnage and poundage. Bales of woollen goods had been sent back from the ports to the manufacturing towns because the owners refused to pay the duty; and foreign merchants had abstained from having their wares landed because they expected unpleasant treatment from the population if they paid the customs. The trade of the country was at a standstill. How entirely matters were altered after five years of Weston's strict and watchful administration! Peace was concluded and maintained; the counties freed from the soldiers quartered on them; the customs regularly levied; at least half of the old debts paid off;

English commerce developed into the most flourishing and productive in the world, if for no other reason, because the continent, and all the neighbouring seas, were distracted with war.

Richard Weston had attained a certain reputation among legal circles in the Middle Temple, and in embassies of the second grade: he had then been engaged by Buckingham in higher political affairs, and after the death of the latter had to a certain extent stepped into his place. His policy however was altogether different. The active desire for war was replaced by a readiness for peace at any price. Weston informed the French that even in the service of his King he loved their interests. If, in spite of this, he had dealings with the Spaniards, the French had no fears on that score: they found that he would never break either with them or with their opponents, because his thoughts, as well as those of the King, were directed solely to the maintenance of neutrality in foreign affairs [1], and in domestic affairs to economy and the avoidance of a Parliament. Weston himself did not long remain the pliant and complaisant person which he had formerly been. He now appeared inaccessible, close, rude, imperious [2]. He was always careful to have a sum of money in hand, of which he could dispose: in order to avoid expenditure he stopped the despatch of a foreign mission: the most rigid barriers were erected round the royal generosity. After the fashion of the statesmen of that period, he did not forget his own interests: he was made Earl of Portland, and by the marriage of his son with a lady of the house of Lennox, he became related to the royal family. All who enjoyed a certain importance in the kingdom were on his side, Arundel, Cottington, Wentworth, as well as James Hay, Earl of Carlisle, among the Scots who had come over with James the only

[1] Relation de Mr. Fontenay, 4 Juin 1634: 'Le tresorier veut la paix et pour sa subsistance et par sa foiblesse: c'est pourquoy il demeure neutre entre France et Espagne.' Cp. the instructions to the ambassador Poigny in the 4th vol. of Avenel's Lettres du Cl. Richelieu.

[2] Gussoni: 'Gode la fortuna d'esser il piu autorevole e superiormente favorito di S. M.—sogetto di cupo e di sagace ingegno, benche nell'esteriore si dimostri non amabile, anzi ruvido di natura.'

one who knew how to make himself at home in England: he was regarded as the man who understood the position of foreign affairs better than any one in England. Weston could not but have rivals and adversaries. At their head was Henry Rich, Earl of Holland, who had taken a considerable share in the negotiations for bringing the Queen home, and who since then had always adhered to her. He appeared the most brilliant and, owing to the favour shown him by both of the royal pair alike, the most prosperous member of the court. For a time he had a good prospect of becoming Buckingham's successor in the admiralty as well as in the royal favour. But neither he himself, nor his friends, were of such importance as to become dangerous to the Treasurer. When Cottington returned from Spain, efforts were made to separate him from Weston. He was advised to attach himself immediately to the Queen, who was no friend of that minister; but Cottington preferred his old political connexion, which secured him greater prospects. Weston knew how to obliterate all unfavourable impressions in the King's mind, and to regain his confidence, which once or twice seemed to waver. Besides this, it was a principle of the King to bestow his chief confidence upon one man alone, and to cling to him, and let people say against him what they would; for he thought that the nature of political life was such that every one attacked the possessor of authority [1].

Taxes levied without a grant of Parliament.

Economy did not suffice to secure for the government complete independence in administration: means had therefore to be adopted to increase the receipts. Tonnage and poundage, the amount of which had in a few years increased by £80,000, offered the principal resource for effecting this object.

[1] A. Contarini, Aug. 24, 1637: 'Ha saputo dar ad intendere al re' che tutti gli altri cerchino d' ingannarlo e che lui solo vole conservarlo nella sua autorità independente della volontà di parlamenti.'

But when old records were searched, other crown rights of earlier date were discovered which had fallen into oblivion, and might be revived with advantage.

How many persons, it was said, had been bound by old usage to appear at the King's coronation, in order to be knighted!

The government called to account all who had incurred the guilt of neglecting this duty, in order that a pecuniary fine might be levied on them[1]. Another feudal right of royalty had a still wider application. In April 1633 the Earl of Holland, who sometimes took part with the government although he did not love it, was seen driving through London in a royal carriage to Stratford in Essex, in order to hold his court there as Lord Forester in the fashion of the twelfth century. He cited all those who had built within the borders of the ancient royal forests to appear, that he might investigate their titles. The occupants in vain affirmed that the claims of the crown against them had long ago been redeemed by purchase: as they had no documentary proof of this, they were compelled to pay a sum in acquittance, which in Essex alone amounted to £300,000[2]. Lord Holland opened his court in August at Winchester, to try cases connected with the New Forest: in September, attended by five judges, he went into Northamptonshire to the site of those same woods, which had once served as a refuge for the Britons, and then as a hunting-ground for the Norman kings, that he might exact penalties for encroachments on the forest of Rockingham. Some of the leading nobles, the Earl of Westmorland, Lord Peterborough, Lord Newport, and the Earl of Salisbury, were condemned, the last-named on account of an estate which had been presented to his father, Robert Cecil, by Queen Elizabeth[3]. And these claims were constantly being stretched further: it appeared as if the greater part of England would soon be considered as having been forest-land in former days. Even the government

[1] Summary in Rushworth ii. 71. Cp. Hallam, Constitutional History ii. 76.

[2] A. Correro gives the sum (Relatione di 1637). Cp. Garrard to the Lord Deputy, in Strafford Letters i. 413.

[3] Garrard to the Lord Deputy, in Strafford Letters ii 117.

now felt itself in a critical position from the agitation kindled by this conduct, and suspended proceedings for a moment [1].

In spite of so many declarations made to Parliament, monopolies of different kinds were again granted by the crown, especially to associations which were formed for the exclusive prosecution of some branch of trade, and which were regularly invested with the rights and constitution of companies with governor, assistants, and society. They were obliged to purchase their title by yearly payments, but in return were then supported in those vexatious regulations which they made to enforce it. Other sovereign rights furnished an opportunity of levying considerable taxes on separate articles [2]. It is calculated that up to the year 1635 Charles I had raised his income from £500,000 to £800,000.

The King, says Correro the Venetian, moves among the rocks by which he is surrounded, slowly but surely. The judges explain the laws in his favour, as there are no Parliaments to contradict them: and his subjects do not then venture to withstand him. 'With the key of the laws he seeks to open the entrance to absolute power [3].'

By far the most important and remarkable of all his claims was the demand for ship-money.

Those were times in which he thought it necessary to oppose the resistance of a powerful navy to the maritime encroachments of the Dutch and French. We have seen that for this purpose he asked for subsidies from Spain, but was unable to obtain them. In the embarrassment into which he was thrown in consequence, a very welcome prospect of assistance was held out, when some of his supporters who were learned in the law maintained that he had the right to demand the aid of the country for this object even without the assent of Parliament. As by English usage the duty of defending the country and of guarding the sea was laid

[1] A. Correro: 'Per dubio che mettendosi in scompiglio tutte le provincie, non si sollevassaro.'

[2] A. Correro mentions 'Imposte annuali perpetue in virtù della regalità nominatamente sopra abloni, che sono ingredienti per far la birra, vini, taverne, tabacco, carboni di terra, saponi e simili.'

[3] Or, as he says again, 'havendo fatta strada all' autorità assoluta per la legale.'

on him, this duty, it was said, carried with it also the right of making the necessary dispositions for that purpose. They adduced a series of precedents, according to which monarchs on their own authority, without the support of Parliament even when it was sitting, and only with the consent of the Privy Council, had issued the requisite proclamation for equipping naval armaments, and had met with obedience down to the end of the reign of Edward III. To the objection that this was more than two centuries and half ago, the King's supporters replied, that the continuance of an opposite usage for any length of time could not cancel the right of the sovereign, and that even in the most recent times an instance had occurred, for that the whole warlike preparations by which the attack of the Spanish Armada had been repulsed in the year 1588, had been set on foot at the sole order of Queen Elizabeth[1]. At the present moment, when the old sovereignty of England over the seas was contested by the neighbouring powers, a similar proceeding appeared peculiarly justifiable. Not only were the seaport towns summoned to furnish the King with a specified number of ships of a certain tonnage for a period of six months, but the obligation was extended to the inland counties and towns, and in their case the ships were commuted for an assessment of money, which was to be raised in the same way as a subsidy. There was even a design entertained of having a number of men embodied for the defence of the coast.

Much agitation had been caused by the previous renewal of old claims; and it was naturally doubled by this last claim, because it was the most comprehensive, and might be renewed at pleasure. The loudest remonstrances were heard. The official interpreters of the laws however came forward on the side of the crown, and acknowledged its right. In November 1634 the Judges gave sentence that the inland as well as the seaboard towns might be called upon for the

[1] Mr. Attorney General, his second day's argument (in Rushworth ii. 573): 'I find by the books that are kept in the council chamber, that the preparations were in October ao. 87; I find no parliament called that year; yet by the letters and orders from the council board these ships and defence that were made, was adsumpt of the subject.

A.D. 1636.
defence of the coasts. This judgment did not contain a declaration that Parliament need not be consulted in the matter; but in February 1636 a decision on this point also followed [1]. It was declared by a sentence of the Judges, that if the kingdom were in danger, and the king thought it necessary, he had the right of ordering his subjects under the Great Seal of England to equip as large a number of ships as seemed to him necessary; and that in case they should refuse to do so, the law gave him perfect right to compel them. The judges could not have delivered a more important decision: it is one of the great events of English history. The King commanded that it should be entered in the records of the Star Chamber, and of the Courts of Justice at Westminster, and that all possible publicity should be given to it, in order that every one who had doubted the King's right might be taught to know better. But even the sentence of the Courts of Justice had no longer absolute authority in England, where they were now deemed subservient or even corrupt. A gentleman of Buckinghamshire, John Hampden, who had there a very old family estate, refused to pay the sum for which he had been assessed, twenty shillings, not because of the amount, which was only trifling, but in order to bring the matter once more publicly under discussion. When he was cited before the Star Chamber to answer for it, he requested to hear the writ. After it had been read, he denied that it had any legal authority over him. The King, who thought himself perfectly certain of his right, had no objection that the question should once more be publicly discussed. Nor did he order others also who refused payment to be visited with penalties of real severity: the sheriffs in each case merely seized possession of property to the amount which they had to raise from each according to the assessment. They met with no resistance in this; but men refused to acknowledge the claim by voluntary payment. 'They stick to their laws,' writes one of our

[1] The charges that were afterwards brought against individuals with regard to this transaction, and are still repeated at the present day, may be passed over, especially as the intentions of each person cannot be ascertained. There can be no doubt that Lord Coventry had a great share in it.

Venetian informants, 'and allow legal proceedings to be taken, solely to make it known that the laws are violated, and that they are compelled to pay by force [1].'

But what a state of affairs hereupon set in! The whole administration of the state depended on the receipt of tonnage and poundage, the payment of which Parliament declared illegal, while the government insisted on it, on the ground that it had been made to the earlier kings; and all refusals of payment were overridden by the coercive power of the state. All other fiscal measures as well were considered wanton attacks on the fully acknowledged rights of private property, or as illegal. People gave way, but only in the expectation of better times.

The opposition between what the government and what the nation or the Parliament thought legitimate, was presented in the sharpest outlines, when it led to acts of personal oppression. The members of Parliament, against whom the King had claims, refused to be brought to trial before the Courts of Justice before which they were summoned; for they affirmed that Parliament alone had the right to pronounce judgment on their conduct. They were condemned however, and the most resolute of them, Sir John Eliot, was treated with a severity bordering on cruelty: he died in the Tower [2].

At times however the King's indulgence and mercy in turn appeared illegal, especially when they were extended to Catholics. This had so important an influence in the life of the King, that we must devote to it a closer examination.

Charles the First's relations with Catholicism.

The old severe laws of Parliament against priests and Jesuits still existed, but, as the King had promised in his

[1] A. Correro, Relatione 1637: 'Stanno attaccati alle leggi come ad un asilo e litigano le cause sotto la loro protestatione con solo fine che le leggi si veggano violate ed essi costretti.'

[2] Forster, Statesmen ii. 122.

marriage-contract, they were no longer enforced. It was not only that the bloody executions of former times could not now be thought of, but even the pecuniary fines incurred by non-attendance at Protestant worship were reduced to half their amount, or redeemed in perpetuity by compositions allowed under the Great Seal. The spies who had formerly forced their way into houses, in order to look for priests who were thought to be hidden there, no longer showed themselves; and steps were taken under the influence of the Queen altogether to annul their authority to do so. The English Catholics affirmed that they had never enjoyed so much repose and security as under King Charles[1]. Yet they felt anxious, because the existing laws could legally be revoked only by Parliament. The King certainly thought the power of dispensing from them an essential part of the prerogative; but public opinion took a different view, and the adherents of Parliamentary authority, especially the Puritans, on the contrary insisted that the laws must be as strictly enforced on this point as on any other.

And had they not in fact some ground for feeling anxious lest Catholicism in this way should again obtain the ascendancy in the country? In the Netherlands, in France, in Spain, and at Rome, those seminaries were still flourishing, from which in former times young and zealous priests had been sent to England. At that time there might be counted in England five hundred secular priests, about three hundred ecclesiastics belonging to the great orders, and about a hundred and sixty Jesuits. Most of them were entertained in the principal families in the country, who secretly or even openly professed Catholicism, and in the houses of the rich proprietors, nobles, and gentry. In countless places the Catholic service was celebrated, but with most splendour in the residences of the ambassadors, where men vied with one another, especially in keeping Holy Week with devout pomp, with sensuous representations and musical services. On high

[1] Panzani, Relatione dello stato della religione: 'Ognuno confessava che non mai si erano veduti tempi migliori: non e però che l' uso della religione sia libero, essendo ancora vive tutte le leggi severissime, ni possono essere rivocate, se non da un parlamento.'

festivals the Queen and her court appeared in her public chapel, which was served by Capuchin monks in the dress of their order: besides this she had a private chapel. Just as an agent of the Queen had gone to Rome, so now an agent of the Papal See, although under another pretext, appeared at the English court. Even there Catholicism found rich and powerful patrons. At the head of these was Thomas Howard, Earl of Arundel, who now, as has been mentioned, stood high at court: the King's ministers, Weston and Cottington, and Windebank, the Secretary of State, belonged to this party. The opinion had spread, and is still constantly echoed, that King Charles also shared in these tendencies, and sought to bring back his kingdom to Catholicism.

We are in possession of the copious letters of the Pope's agent Cuneo—a Scot whose real name was Con, but whom we shall speak of under the Italianised form of his name—from which we may gather with certainty how far the opinion was true, and how far it was not.

The negotiations on which Cuneo was engaged principally concerned the form of oath by which King James had long ago wished to ensure the loyalty of the Catholics. By the wording of the oath as adopted by Parliament, the doctrine that the Pope could absolve subjects from their obedience to their prince, was not only rejected, but expressly termed heretical[1]. The first archpriest who had the supervision of the Catholic clergy in England was induced, as we have seen, to take this oath; and many missionaries, among whom were even some of the regular clergy, the Benedictines especially, followed his example. Others thought that the scruple would be removed by a declaration that the King required obedience only in civil matters. The Jesuits, following the example of Bellarmin, rejected every expedient of this sort, and zealous believers sided with them. This point however, according to Charles's views, was one of great importance. He seldom caused the oath to be tendered; but when he had once done so, he required it to be taken; if it were not, the objector was put under a sort of civil excommuni-

[1] Ex registro literarum Georgii Cunei. Brit. Mus. 15390.

A.D. 1636.

cation. The matter had been already mentioned by Giorgio Panzani in a former mission, and the Papal court had empowered Cuneo to prevail on the King to alter the oath[1]. The inadmissibility of the present form was put especially on the ground that no one could call a doctrine heretical, until it had been declared so by the Church: it was demanded that the King should lay down such a formula as would only affect the obedience of his subjects in temporal matters, without touching the spiritual question. And a very earnest endeavour was made to find such a formula. It was proposed to say nothing about a 'damnable doctrine,' but only to speak of the conviction of each individual: and Cuneo assured the King that no Catholic would refuse to take such an oath, if only at the same time he were relieved from the other. Against this the King had two objections. He called Cuneo's attention to the fact that the oath had been prescribed by Parliament; that for its removal it would be necessary to call Parliament together and to lay the alteration before it—a proceeding which might have very unpleasant consequences, most of all for the Catholics. 'Sire,' broke in Cuneo, 'we Catholics hold that your Majesty is superior to Parliament[2].' The King thought that even here he might invoke his dispensing power: but to put a new formula in the place of the old, and merely to drop the enforcement of a law, were quite different things. The former course was neither congenial to the King, nor could have been ventured on by his ministers, who in their departure from parliamentary government still kept always within a line which they did not overstep. But besides this the King would not deviate from his own doctrine, viz. that the right of kings was a divine right, and could not be superseded by any man, not even by the Pope[3]. The opposition between the Papal and the Royal power might perhaps

[1] Cuneo to Cardinal Franc. Barberini, Jan. 7, 1637.

[2] Dispaccio 16 Settembre, 1636: 'Io dissi, Sire, noi (cattolici) teniamo Vra Maestà sopra il parlamento. Egli rispose che era vero, ma che bisognava pensare alla difficoltà grandissime.'

[3] 'Il re dimando se non mi pareva che fosse opinione cattiva di supporre l' autorità regia ai capricci d'un uomo.'

be smoothed over in practice, but could never be adjusted in theory. People at Rome were not content with the proposals of Cuneo, which were rejected by Charles.

In the course of these negotiations, or perhaps in the course of friendly conversation, a further step was made. Something was said of the necessity of a closer political, and of the possibility of a closer religious approximation. Cuneo set before the King the prospect that in the event of an union with Rome, which still formed a great centre of European politics, he would have as much power as any continental potentate: and the King might well feel tempted to enter the lists at Rome as elsewhere against Spain and France. But Cuneo did not go so far as to make a real attempt to convert him. The amiable ecclesiastical diplomatist and courtier felt far too strong a conviction that he could not venture on this. At times the prevailing controversies between the two churches were touched upon in conversation. The King did not conceal that, from all that he had seen in Spain, or even heard from theologians there, an impression of estrangement had been left on his mind[1]. His Anglican heart rejected the adoration of saints and the invocation of the Virgin, and was completely repelled by other forms of popular worship. Cuneo once asked him what he held to be true besides Holy Scripture[2]. Charles answered that he held the three creeds and the decrees of the first four councils; and he expressed his astonishment that any one could put the decrees of the Council of Trent on a level with those of the old councils. Once, after a decision had been given in favour of the Catholics, Cuneo fell on his knee and kissed his hand. 'You will, nevertheless,' said the King, 'not make a Papist of me.' On one matter Charles would have been glad to hear the expression of the Pope's sentiments, namely, on the divine right of bishops,

[1] 12 Marzo 1637. 'S. Maestà mi contò discorsi passati tra lui ed il confessor del re di Spagna in materia di religione e del tutto S. M. mostrò d' essere restata poco sodisfatta.'

[2] Cuneo: 'Demandai al re, che dottrina teneva egli per buona, fuori quelle che era nella scrittura sacra. Il re me rispose, che credeva li primi quattro concilii ed i tre simboli.'

on the assumption of which the constitution of the English Church, and the ecclesiastical policy of the English kings mainly rested. But that was a very serious question for the Pope, who wished neither to outrage the convictions of the King, nor to lead the Catholic bishops to renew their former claims. Pope Urban VIII avoided expressing even a personal opinion on the subject.

A very lively impulse was given to the spiritual movement of the seventeenth century by the attempts to reunite the two communions. It had become clear as a result of a world-wide conflict again and again repeated, that Protestantism could not be overpowered. The inroad of the Swedes into Germany, the revival of the Protestant credit which was connected with it, the alliance of France with the Protestant powers, all gave a shape to European affairs in presence of which the hope of effecting a restoration of Catholicism must have appeared a cobweb of the brain. This led naturally to a revival of the old plans for bringing to pass some kind of reconciliation between the opposing churches. We meet with them in France, in Germany, in Poland, over the whole Continent. They were cherished by well-intentioned kings, powerful ministers, and learned writers of the first rank.

In England there was in each of the two great parties a fraction which closely resembled the corresponding fraction on the other side. In the one party there were found many who took the oath of allegiance without hesitation, who acknowledged the supremacy of the crown, and attended Anglican churches, who made a figure in high places, and then perhaps after all declared themselves Catholics on their deathbeds. We might almost suspect that, from a superstitious opinion of the saving power of ceremonies, or because it was the safest course, they kept priests in their houses only for this last hour. But even among the Protestants we discover not a few who sought to strengthen the resemblances to Catholicism which were retained in the English Church. This was done principally out of dislike to the Puritans, who declared that the Pope was the Antichrist foretold by Scripture; while the others were inclined to recognise in him the true Patriarch of the West, if he would only admit some

moderation in the exercise of his power. From this point of view they had publicly condemned the schism in sermons, at which the King and the court were present. They praised auricular confession and the bowing of the knee at the sacred name or before the crucifix[1]. Even in the local arrangements of churches the innovations of the Reformers were done away. Everywhere the communion table had again to give way to the altar. Laud, Archbishop of Canterbury, acknowledged that the Church of Rome had an uncorrupted tradition on the main points of the Christian faith. He avoided the harsh expressions of controversial theologians about that Church, and loved to speak of a reunion between the divided members of the whole body of the Church. But he was by no means a Papist. Like the King he condemned the popular worship, especially the invocation of saints: in the adoration of the sacrament, the refusal of the cup, and the doctrine of purgatory, he also saw error, or superstition, or both. When, after his appointment, the question was put to him whether he would not be willing to become a cardinal of the Roman Church, that was only an attempt to kindle his ambition, and to open negotiations, which might have had further consequences: but he did not fall into the snare. After a time people on the contrary spoke of the probability that Cuneo might be raised to this dignity, which he hoped to achieve by the aid of the Queen, and that he might then remain in England wearing the purple. The Roman court was apprehensive lest a violent ecclesiastical quarrel for precedence might thus be raised. Between Cuneo and Laud, who outside the English court were considered allies, harmony by no means prevailed: they did not get beyond the external forms of ordinary politeness to one another. From the beginning Laud could not endure that another ecclesiastical influence should exist at court beside his own. Cuneo's letters to Rome show an ill-feeling towards the Archbishop[2] which is mingled with bitterness, and even

[1] Conference with Fisher the Jesuit. History of the Troubles, 460.

[2] Cuneo's Letters, June 5, 1637. 'Il Cantuarense seguita en li soliti artificii a mostrarsi buon capo della chiesa Anglicana. Ho procurato di far tastare il Can-

with a kind of contempt. Cuneo declares him incapable of contributing in the least to the removal of the English schism.

With absolute certainty we can pronounce that the statement which was then made, that Charles in connexion with Cuneo and Laud designed to bring back the English nation to Catholicism, is erroneous. The supposed allies were personally bitter antagonists. The King, with his Archbishop, adhered to the point of view of the Anglican Church, which they only endeavoured to raise to complete supremacy.

State of Opinion in the Church of England at this time.

The controversy which then most busily engaged men of active minds, did not concern the differences between Catholicism and Protestantism. Only as to the frontiers of the spiritual and temporal power were opinions still wavering: on all other points every man had already taken his side. Even the old dispute between Lutherans and Calvinists about the Lord's Supper, although it still went on, attracted no special attention. The questions, which are properly traced to the spirit of the age, were fought out within the domain of the Reformed Church. They concerned the doctrine of election by grace, which determined the system of dogmas, and the influence in spiritual affairs appertaining to the temporal power, which was of decisive importance for the constitution of the Church. The Synod of Dort derived widespread importance from its adherence to the strict Calvinistic doctrines of unconditional election by grace, and of the independence of the Church. It condemned the Arminians, who were inclined to less rigid views on both questions: they were expelled from their offices in the Netherlands.

tuarense, in ordine di levare lo scisma, ma egli è molto vario nel suo discorso ora mostrando di voler aderire alla dottrina delli primi 400 anni ed ora lamentandosi del concilio di Trento—timido ambicioso ed inconstante e poco abile all' imprese grandi.'

At an earlier period James I also had condemned Arminianism as promoting tendencies towards Catholicism. But the theories of this sovereign were always thrust into the background by his interests; and when the decrees of this synod, in which some English theologians had also taken part, though to a very slight extent, roused controversies in England which threatened to disturb the repose and even the system of the Church of England, it no longer commanded his sympathies. He forbade the theological question to be discussed publicly in the pulpits; just as in the articles of the English Church it had already been handled with great caution. Still more repugnant to him was the article in the conclusions of the Synod of Dort, in which equal authority was ascribed to all ministers of God's Word, whatever position they might hold [1]. The English members of the Synod, who looked upon this as an indirect condemnation of the constitution of the Church of England, protested against it, of course without obtaining a hearing. But how obnoxious must this article have been to the sovereign, who designed to found his state upon the alliance of the Protestant mitre with the sceptre! His Presbyterian opponents now acquired the support of an assembly which, by its very strictness on other points, gained for itself great authority in the Reformed Church. What was termed Puritanism was, strictly speaking, the combination of the dogmatic decrees of the Synod of Dort with resistance to episcopacy. So far as we know, the Archbishop of Spalatro, Marcus Antonius de Dominis, who at that time had taken refuge in England, was the first who used the word in this sense [2].

There could be no more hearty admirer of the Anglican Church than this foreign Archbishop. His works on this controversy, which although voluminous are written with learning and candour, have contributed to maintain the re-

[1] Ubi sint locorum verbi dei ministri eandem illi atque aequalem omnes habent tum potestatem, tum autoritatem, ut qui sint aeque omnes Christi unici illius episcopi universalis et capitis ecclesiae ministri. Art. 31.

[2] Fuller, Church History x. 307.

putation of the constitution of the English Church in the eyes of the literary and theological world [1].

In August 1633 a great alteration took place in the state of the English Church. George Abbot, Archbishop of Canterbury was removed by death; a man who himself inclined to Puritanism, for he was a zealous Calvinist, and in the exercise of ecclesiastical authority displayed an amount of indulgence and clemency that brought on him the reproaches of many. He had long ago ceased to influence the court, or the relations which the church and the crown bore towards each other. Charles I reposed his whole confidence in William Laud, at that time Bishop of London, whose opinions agreed with his own, or at any rate were in harmony with his tendencies. But in regard to doctrine Laud's Arminianism went even beyond that of Arminius; and the combination witnessed at Dort, of strict Calvinistic opinions, which he rejected, with resistance to episcopal government turned him completely into a declared opponent of the Synod. For his own part he considered episcopacy a divine institution, and contested the Christian character of all those churches which were not episcopally organised. And just because this institution was so deeply rooted in Christian antiquity, he endeavoured in every respect to return to the oldest usages. Before his eyes and those of the King floated the vision of an episcopal church independent of the Papacy, which, purified from all human additions, should embrace the whole world. Laud was very highly educated, and showed an appreciation of universal learning: he did much for the printing of Greek, for the acquisition of Arabic and Persian manuscripts, and for the promotion of Oriental studies in general. He was blameless in private life, and extremely beneficent: out of his ecclesiastical revenue he always set aside a considerable portion for the poor. But he was one of those men in whom the temper of persecuting orthodoxy seems to be innate. Even in his youth he noticed chiefly those passages in the lectures of professors which ran counter to the Anglican system, of which he early formed a high

[1] De republica ecclesiastica. T. ii (1620), lib. vi.

conception. In this temper he read the writings which were called forth by the controversies of the day, and then invoked the vengeance of the temporal and spiritual power on the deviations from accepted formulas which he noticed in them. In the disputes between the Government and the Parliament be lent his pen to the service of the former with vigour and not without success; and Buckingham, with whom he was most closely connected, promoted him to the see of London. After Buckingham's death the King transferred to the Bishop a portion of the confidence and favour which he had bestowed upon the Duke. Laud might be considered his ecclesiastical favourite. On the first intelligence of Abbot's death, Charles I saluted the Bishop of London as Archbishop of Canterbury. For what could be nearer to his heart than to transfer the authority of Primate of England to the man who fully shared his point of view? On this the Anglican zealot stepped into an official position which opened the widest sphere of action for his ecclesiastical tendencies. He was a man of comprehensive energy, which operated in all directions, and at the same time retained its ardour. With large general designs he united indefatigable attention to details[1]. But all defects which Laud observed in the Church he attributed to the indulgence of his predecessors, especially of the late Archbishop, George Abbot: he had resolved to take an opposite course, and to suffer no departure from the law of the Church and from rigid obedience. Such deviations were punished in the bishops when they made any resistance to the institution of ceremonies, as in the case of Williams, Bishop of Lincoln[2]; how much more in the Puritans, whom he regarded as the most dangerous adversaries of the orthodox system. Woe to the man who ventured to bring forward a controverted point in the pulpit, when once it had been forbidden there: the smallest hint of it was fatal. Laud set himself against even

[1] Bruce's Calendar, 1633–4 furnishes in the preface and in the extracts which it contains, much new information about Laud.

[2] According to Correro, Relatione 1637, his offence was 'd'aver parlato alla tavola contre il presente governo. La sua pena—ha eccitato le lingue quasi dell' universale alle maggiori exclamationi.'

the religious strictness of the Puritans. In the Sabbatarian controversy, which was then being set on foot, he advocated the Sunday amusements of the people as warmly as the King. An ordinance issued by him on the subject roused disapprobation even among clergymen who conformed in other respects. The Archbishop appears to have thought that by this indulgence he would attract the people to his side. But even in this matter he went to work with an intolerance that could not fail to alienate men's sympathies from him. We know how zealously the Puritans condemned theatrical representations, which just at that time, when French actresses were introduced, appeared doubly obnoxious. William Prynne, of Lincoln's Inn, who wrote a copious book called Histriomastix, suffered in consequence the most degrading penalties; he was branded and lost his ears. The same punishment was inflicted on Bastwick, a physician, who on his return from travelling related much that was discreditable to foreign bishops, and which might be unfavourably applied to the English bishops also. The theologian Burton, who blamed as novelties some alterations that were introduced into the Church, fared no better. These were educated men, and belonged to the upper classes; and their exposure in the pillory, which was intended to disgrace them, was turned into a kind of triumph. Laud indeed intended to establish for ever the unassailable authority of the ecclesiastical jurisdiction, just as he had emancipated afresh the ecclesiastical courts from the influence of the temporal: but without doubt he undermined it; for no one has ever insulted natural human feelings with impunity. His idea was conformity at any price, subordination of the people to the clergy, subordination of these latter to their own chiefs, and of all to the King.

It is not quite clear whether he consciously cherished the design which is attributed to him of expanding the archbishopric of Canterbury into a patriarchate of the British Islands, and of holding this dignity himself: but his efforts aimed without any disguise at giving the episcopal system and the usages of the Anglican Church the supremacy in the other two kingdoms as well as in England.

We know how zealously James I had struggled to obtain

this end in Scotland; and we shall soon see what further advances were made on his footsteps. In England itself conformity of all individuals, in Scotland conformity with English institutions, was the most prominent motive of everything which was done in regard to the Church. In Ireland also the same attempt was made.

When colonies were established in Ireland, in which many Scots took part, articles for the Irish Church, which might satisfy the Scots as well as the English, were accepted in that country. They were introduced by James Usher, who at that time was Provost of Trinity College, Dublin, and afterwards Archbishop of Armagh, Primate of Ireland. But little was said in them of the necessity of the episcopal constitution, although it was retained. The difference between presbyters and bishops was passed over in silence. The Pope, after the example of the Synod of Gap, was termed Antichrist: the observance of Sunday as though it were the Jewish sabbath was ordained; and many distinctive Calvinistic tenets were accepted. King James, it is true, once called Doctor Usher to account for this; but at all events he confirmed the articles just at the time when he himself was maintaining strict Calvinistic opinions, owing to his connexion with the Prince of Orange. Now however under Charles I these opinions were no longer to be tolerated; for the King felt that the variety of Protestant opinions was a scandal in the eyes of the Irish Catholics, and that their conversion was hindered by the violence of the contrast presented by Calvinism. And it is evident that the consolidation of perhaps the most zealous adherents whom the Pope had in the world into one single state, such as Charles I contemplated, with those who declared him to be Antichrist, was impossible. Consistently with the prevailing policy, the Lord Deputy, Thomas Wentworth, in the Parliament of 1634 undertook to procure the abrogation of the Irish articles in substance if not in form. The Lower House of the Convocation of the Irish Protestant Church made the canon-law of the English Church the subject of free discussion, and a committee of Convocation had already framed a canon which insisted on the maintenance of the Irish articles, even

under pain of excommunication. Wentworth regarded this as a sort of revolt. In severe language he pointed out to the Convocation its presumption and want of subordination in wishing to pronounce judgment on laws of the English Church. He himself drew up a canon, in which assent to the Thirty-nine Articles in general was promised. The Archbishop of Armagh, who could not act inconsistently with his former behaviour, but at the same time could not resist the plans of the government, proposed a less stringent form: but Wentworth insisted upon his canon, and had the pleasure of seeing it carried in Convocation almost without opposition, in the very form in which he had drawn it up; for the members were one and all enchained by his sovereign will. This is perhaps the last canon drawn up for the Irish Church as such, which was thus inseparably united with the English[1]. Wentworth gave Archbishop Laud triumphant tidings of his unexpected success.

Further designs of the Government.

The Irish Parliament, which stood side by side with this Convocation, was the same which made the general administration of Wentworth famous. It was composed partly of Catholics and partly of Protestants; for his main object was to unite both creeds in one community: but in disputed questions the Protestants had the preponderance, and among the Protestants the Anglicans. In the Upper House the bishops as a rule had the decision in their own hands. Parliament was induced to grant supplies by which a well-ordered government of the country was for the first time rendered possible.

What a vital union is here displayed between the elements of spiritual and temporal obedience! Wentworth adds to the information above mentioned the remark, that in Ireland the King was as absolute as any other sovereign

[1] Dated at Dublin Castle, December 16, 1634. Strafford Letters i. 344. The Canon in Collier ii. 763.

in his own country, provided only that he had as his representative a man of insight and loyalty, whose hands were not tied. The Lord Deputy can be as little accused as the King or the Archbishop of wishing to pave the way for Catholicism: Wentworth was known as a very staunch Protestant. Their thoughts were only directed to the development of Anglicanism expressed in its most rigid form, and administered without indulgence. What James I had already intended and attempted to carry out, but with vacillation and with fresh concessions to the other side, Charles I and his statesmen undertook in earnest. They wished to make episcopacy one of the chief foundations of the monarchy.

Did they entertain the thought of sweeping away the English Parliament altogether, or at least of not calling it together again? This is not likely. King Charles affirmed on more than one occasion that it lay with him to summon or not to summon Parliament, and a resolution had been formed to issue no fresh summons as long as the royal authority was not firmly established on its own foundation. The Archbishop once said at a later time, that Parliament was intended to maintain the power and greatness of the crown, but that nothing in the world was more lamentable than the corruption of what was good: that Parliament had once ventured to depose a king, but that it never ought to be allowed to proceed to this length again: that for his part he had never thought of setting aside Parliamentary government; though he had perhaps thought it right, in cases of urgent necessity, to collect taxes which had not been granted by Parliament.

We become still more accurately acquainted with the direction in which affairs were moving, through a letter from Wentworth to the King. After the miscarriage of Arundel's mission, much was said of the expediency of again forming a connexion between England and France and the States-General, of imposing certain conditions on the Spaniards, and then exacting their performance even by force of arms. Wentworth declared himself most decidedly opposed to the scheme, and that not only because he preferred the alliance of Spain to that of France on general grounds, but most of all,

as he states at full length, because the power of the King was not sufficiently confirmed in Ireland, much less in England, to allow him to interfere decisively in European affairs. Whatever weight might attach to the declaration of the courts of justice that the King was entitled to levy ship-money, yet he considered this decision far from sufficient. If a war were to break out, he thought that the tax would be refused, and that the government would have less power to exact it: what would happen then if any disaster occurred? It would certainly be necessary in that case to summon Parliament, and to claim its assistance—a course which under the present circumstances no one could wish to adopt. So long as it had not been decided that the King had the same right to raise an army which he now enjoyed with regard to the navy, Wentworth thought that his authority had only one foot, and that he must be put in a position to raise forces for service on land, which he could lead into foreign countries according to his own judgment, like the old kings of England; that this state of things must be brought about first in England, and then step by step in Scotland; and that till then the goal could not be reached, and no great undertaking could be hazarded [1].

On principle Wentworth was as little opposed to a Parliament in England as in Ireland; but he wished to have only such a Parliament as would be subservient. He thought of making the government and the royal power independent of grants of Parliament in great affairs, such as peace and war and foreign enterprises generally. The King was no longer, as in the late sessions, to be compelled to make concessions in order to maintain his proper position in European affairs. His immediate intention was to uphold the decision of the Judges with regard to the payment of ship-money, and to obtain a similar authorisation in regard to the support of the army.

It is apparent however what would have been the significance of such a decision. The political importance of Parliament had arisen from the power of granting the

[1] Considerations, in Strafford Letters ii. 60.

money required for the purposes of war: if the latter were taken away, how could the former endure? The King had not only an acknowledged right of judging whether the kingdom was in danger, but it was laid down as his duty to forestal such a contingency. If he were now authorised to call out the military and naval forces of the kingdom in case he thought fit, how could he be refused the needful resources for keeping them up when called out? Parliament would have played a very inferior part; and, in England as on the Continent, the monarchy would have taken the form of a military administration.

Public Affairs.

Among the King's advisers there was no lack of men of ability to connect the ascendancy of the monarchy with the great interests of the country and with their furtherance.

Wentworth bequeathed to the Irish no contemptible monument of his autocratic sway. He founded their linen manufacture, in the first instance at his own expense, with the definite expectation that it would form an inexhaustible source of wealth for the country[1], just as wool and woollen manufactures were for England.

The English had their factories at Alexandria, Aleppo, and Constantinople, as well as in Persia and India: for their cloth was in request all over the East. Among the motives in Charles I's mind for entering on friendly relations with the Pope, one was the intention of opening the harbour of Civita Vecchia to his subjects.

The arrangement concluded with Spain was of immense value for commerce, which was carried on in a very peculiar manner during the continuance of the general war. The Spaniards sent their gold and silver to England, from which country their payments could be made in Flanders and Germany through the bills of English houses which enjoyed good credit on the continent. The precious metals were

[1] Forster's Statesmen ii. 380.

sent from Spain in bars: the English crown thus gained the advantage of coining them. The transport of goods, and even of the necessaries of war, between Spain and the Netherlands, was carried on in English merchantmen, or under English escort. The Portuguese kept up their intercourse with their American colonies under the English flag, which assured them against the attacks of the Dutch; and they were glad to hire English ships, which were better armed than their own [1].

The construction of the English vessels aroused the admiration of experts: the ships of the East India Company by their solidity and their provision for every possible requirement, appeared to carry off the palm from all others.

As the King's policy contributed to the extension of commerce, so the religious disputes contributed to the extension of the colonies. To those who would not submit to Laud's ordinances New England offered a refuge: we shall return to the circumstances under which the colonies were planted there. But even for the toleration of Catholics in England there was no legal security. The first attempt at an ecclesiastical order of things, in which Episcopalianism came to terms with Catholicism on fixed principles, was made on the other side of the Atlantic, in Maryland. This may be the reason why this colony received a constitution that was to a great extent independent of the mother country. Maryland was peculiarly the creation of Charles I: the name it bears is derived from the Queen of that sovereign. A scheme was entertained at that time of colonising Madagascar in the interest of a Palatine prince.

As yet the colonies had no towns: London was the market to which they resorted for their supplies, and for the sale of their products: under these circumstances she began to be the emporium of the general trade of the world.

The cultivation of English commerce was almost a matter of personal care with the King. Not only the administration of his state, but even the maintenance of his court, rested upon

[1] Gussoni, Relatione 1635: 'Gli Inglesi navigano molto meglio armate di quelle caravelle Portoghesi, quali erano per la maggior parte preda degli Olandesi.'

the proceeds of the customs; and the court was still suitably and brilliantly kept up[1]. And however little Charles may have thought of endangering the repose of his kingdom for the sake of the Palatinate, yet he had never been loath to provide for the necessities of his sister and nephews.

But besides this he loved to support literature and art. He directly offended the scruples of the Puritans by attending the theatre. A splendid and costly masquerade, which the four Inns of Court combined to exhibit in the Carnival of the year 1633, was counted as a proof of their loyalty. They drove from Ely House through Chancery Lane and Whitehall in their carriages surrounded by torches; and the King sent to request them to take a route that would enable him to see the spectacle twice. The ladies and gentlemen of the court mustered in their richest dress, and later in the evening the Queen mingled with the dancers. Shirley, who was in the Queen's service, Massinger, and old Ben Jonson still prevented the English stage from degenerating: Cymbeline, Richard III, and other plays of Shakespeare were favourite pieces with the public. Ben Jonson lived till 1637: from time to time he had the opportunity of celebrating the generosity of Charles I, of which he was greatly in need. In his later writings, such as his 'Discoveries made upon Men and Matter,' a ripe and lively feeling for literary culture and for culture generally is displayed which does honour to the age.

Charles I developed not only a preference, but a real appreciation, for art. Inigo Jones, whom many consider as the man of the greatest artistic talent whom England on the whole has produced, and in whose works we perceive a steady progress from an overcharged romantic style to purer forms, was one of his personal friends. It is easy to see why a man of architectural genius should attach himself to the court, for which he built chapels and banqueting halls, and to Archbishop Laud, who undertook to restore churches in the style of Christian antiquity, rather than to the Puritans

[1] Gussoni: 'Abonda con molta superfluità cosi per il numero d' offiziali et ministri d' ogni qualità, come per le assignationi del piatto quotidiano che si da lauto e splendido anche eccedentemente.'

who looked for salvation in the bare gospel. Among the King's servants we find Vandyke, who in his incomparable portraits has preserved for us the forms of those who moved in high society; and Rubens, who reconciled his political commissions with constant practice of his art. On him as on others the obstinacy of the popular resistance with which Charles came into collision in his last Parliament produced an unfavourable impression. He blames the learned Selden for getting him involved in this confusion, to the prejudice of his art[1]. But as for the rest he was astonished by the zeal for study displayed by the English, and by the richness of their collections of works of art. The Arundel marbles were already rousing the attention of students of antiquity: Kenelm Digby procured for the King himself some of the finest monuments of ancient Greek art from the Levant. From Italy and Spain there was brought to him, as one of his contemporaries says, a whole troop of emperors and senators of ancient Rome, which he himself took pains to arrange in their chronological order: and he was capable of showing impatience if any one disturbed him in his task. He may be regarded as one of the best connoisseurs of art that has ever sat on a throne: he was able after short consideration to distinguish with delicate and certain judgment between those Italian masters who are closely allied in style and touch. There was no surer road to his favour than bringing him a picture of some celebrated master as a present, or pointing one out for purchase, which could still be effected with remarkable ease. The catalogues of his property show nine Correggios, thirteen Raphaels, forty-five Titians—among which are some of the greatest works of these masters, such as 'The Education of Love,' by the first; 'The Holy Family,' known under the name of 'The Pearl,' by the second; and among others by the third, 'The Venus of the Prado.' These catalogues present a many-sided interest in the history of art: they enumerate 400 works in sculpture, and 1400 in painting. Inigo Jones built a gallery for them: the King wished to

[1] Gachet, Lettres de Rubens. Guhl, Künstlerbriefe ii. 189.

have the principal works about him in his chambers at Oatlands, Hampton Court, St. James's and Whitehall[1]. In the gardens of York House he put up the figures of Cain and Abel, by John of Bologna, the imitator of Michael Angelo, one of the finest groups by that master, a present from Philip IV of Spain. It was the intention of Charles I to adorn the squares and public gardens of London in general with works of artistic merit.

It is worth while to remark the connexion between these efforts in favour of art and poetry, and the social cultivation, the general tendencies in favour of toleration, of ecclesiastical ceremony, and of antiquity, and the cosmopolitan sympathies, which mark the ascendancy of royal authority. Could Charles I ever have succeeded in leading the English mind in this direction, and in instigating it to produce works of its own? We may feel ourselves tempted to agree with those who have at all times made it the bitterest reproach of the Puritans, that they opposed these intentions, and even frustrated them. But in the struggles between different tendencies, which give the tone to an age, the question in dispute cannot be settled by the encouragement which they afford to this or that branch of culture. They are like the forces of nature, which create but at the same time destroy. The other party also had its rights, its ideas, and, if we regard the general state of the world and of the time, a still greater destiny in the field of universal history.

[1] Old Parliamentary History xix. 83; Waagen, Kunstwerke und Künstler in England, i. 450.

CHAPTER IV.

CONFLICTING TENDENCIES OF THE AGE AND WITHIN THE KINGDOM OF GREAT BRITAIN.

If we adhere to the view that the Latin and Teutonic nations, in the development which they have reached under the influence of the Western Church, make up a great indivisible community which furthermore appears as an unit in the world; and if we further look for the characteristic features by which this system of nations is distinguished from all other growths of world-wide historical importance, we find that they are principally two; the close connexion between Church and State involving a constant struggle between these two principles; and next the mixture of monarchical with representative institutions in each single country and the internal conflicts thence arising. At times republican formations made their appearance; yet they were hardly able to emancipate themselves from aristocratic and even from monarchical forms. At times absolute monarchy obtained the upper hand; but, if we consider the governments which are most conspicuous in this respect, we find that the supreme will of the sovereign was hardly ever able to prevail over the great obstacles presented by provinces and individuals. So there have been centuries in which the great monarchies appear to have been broken up or oppressed by the hierarchy: but even the Papacy met with opposition; the authority of those self-same popular bodies, which were perhaps originally allied with it, in later times was opposed to it. The characteristic life of the West, the continuity of its development, and its ascendancy in the world, are due to this conflict between ecclesiastical and political influences, between the tendencies

towards monarchical and those towards representative government, and to the mutual action of independent nationalities, within an unity which embraced all, but yet was never complete, and was rather ideal than actually realised.

The great secession from Rome which came to pass in the sixteenth century did not break up this system of nations. The more remote were brought at times into closer relations with one another by the universal opposition and struggle, which in turn very materially affected the shapes into which the domestic relations of the individual states were thrown.

If Protestantism contributed to strengthen the power of the sovereigns under whose lead it was carried out, yet the temporal estates also shared the gain which accrued from the defeat and curtailment of ecclesiastical interests; for by this means their own power became more firmly established. The restoration of Catholicism at a later period had a very different effect. The concessions which the Papacy voluntarily made to secure it, redounded mainly to the advantage of the sovereigns. The Popes themselves, in order to revive their ecclesiastical authority in every country, employed all the pecuniary resources which could in any way be raised in their newly conquered state, which now for the first time was entirely reduced to obedience. In Italy they created for themselves a new Grand Duchy, by the erection of which the rights of the municipalities comprised within it were entirely destroyed. The Spanish monarchy, which in this epoch played the most important part, had not, it is true, annihilated, but had kept down the independence of the provinces in the Italian as well as in the Spanish peninsula, which in earlier times had been so powerful; and as by the aid of American gold it had obtained a power independent of the good will of the Estates, the authority of the sovereign was asserted far and wide. These two agencies reacted most powerfully upon Germany. Even before the Thirty Years' War the territories of the ecclesiastical and Catholic princes followed the example of Rome. During the war, and by means of it, the house of Austria brought into subjection the representative constitution of the kingdoms and countries belonging to it which had attached themselves to the prin-

ciples of Protestantism. Frederick Elector Palatine stood at the head of these independent bodies, but they did not understand how to support him effectively. They fell with him. The same thing then happened in the central districts of Germany, where the combinations between sovereigns and estates were so weak from their rivalry with one another that they went to ruin.

In France Catholicism had once helped the Estates in their struggle against the monarch, but this alliance could not be maintained. After the hereditary sovereign had reached throne by the going over to Catholicism, he still based his authority upon the maintenance of an equilibrium between the two religious parties. But for his successors this policy was no longer necessary. The Catholic portion of their subjects attached themselves to them without any regard to a title conferred by the Estates; and though the magnates then sought for safety principally in an alliance with Protestant interests, the result was that ecclesiastical and political independence sustained a common defeat at the hands of the sovereign and of the Catholic party. The power of the state assumed a deeper Catholic colour the more it aimed at absolutism.

The principle of monarchy combined with Catholicism now appeared in different forms in three great kingdoms. In that of Spain it was intolerant of Protestantism, but was surrounded by provincial assemblies of estates, whose action, although subdued, was not altogether annihilated: in the French monarchy it appeared more tolerant of the Protestants even on its own ground, but was master of the Estates, which just at this period were completely subdued: in the Austrian monarchy it was intolerant both towards the Protestants who were persecuted and ejected, and towards the Estates which had just been conquered. The struggle which had broken out between France on the one side, and Spain combined with Austria on the other, caused the two latter kingdoms to adopt, or at least to try to adopt, the principle of unity under an absolute monarch which had been carried out in the former. There is a very peculiar difference in the relations of the three powers with the German Protestants, who were saved from utter ruin by the intervention of the King

of Sweden. The French sought to make the Protestant Estates of the Empire as independent as possible of Austria: Spain at that time was willing to tolerate their faith, but wished to bring them back under the control of the Emperor: at the Imperial court itself there was a tendency prevailing, at least for a time, to suppress both their belief and their independence.

Thus the Western world at this epoch was pervaded by a threefold hostility: by the religious dispute between the two great parties, in which the Catholic party had obtained an immeasurable superiority: by the great opposition in regard to foreign policy between France and the Austro-Spanish power; and by a third antagonism in regard to domestic affairs. The monarchical had become more than ever supreme over the constitutional principle.

Let us now sum up the position which England under the Stuarts occupied in these great questions.

From the posterity of Mary Stuart, who at the same time were the successors of Queen Elizabeth, and to whom the alliances of both queens descended, nothing else could be expected than that they should interfere but little in the religious struggles of the continent. They sought to keep on good terms, and even in alliance with both parties. They had certainly been implicated in the great struggle by the affair of the Palatinate: Charles I had on one occasion even taken up a position at the head of the Protestant party; but he had suffered a defeat in that character. This connexion had even turned out ruinous to the Protestants: henceforward he left them to shift for themselves as far as the principal question was concerned, and followed only his private end, the restoration of his nephew, the Elector Palatine.

In his disputes with the two great continental powers, James I had carried out still further the policy for which Elizabeth had paved the way. He had contributed to the emancipation of the Republic of the Netherlands from Spain, for the ascendancy of this monarchy by land and sea was obnoxious to James himself. But he would go no further. It was altogether contrary to his wish and intention that he

was involved at the end of his days in a quarrel with Spain. As in the religious, so also in the political conflict, the Stuarts did not wish, properly speaking, to take the side either of France or Spain. From this radical tendency of their policy they sometimes deviated, but always returned to it again.

In both those great questions in fine which decided the future of the world, Charles I, after his interference had once resulted in failure, no longer took a pronounced and independent part. We saw what was the issue of his wish to be the ally at the same time of Sweden and of Spain. In domestic affairs on the contrary he had fixed his eyes upon a definite aim. Here, although the questions which were agitated might be altogether native to the English soil and atmosphere, his policy had some analogy with that which prevailed on the continent. He also, like the great Catholic sovereigns, sought to crush the pretensions of the Estates in political affairs; and he, like them, endeavoured to strengthen the royal power by means of the attributes of the spiritual.

It was not that Charles I had thought of subjecting himself to the Papacy. We know how far his soul was averse to this: he could not come to an understanding with the Pope even about the formula in which the Catholics were to promise their obedience, in order to make their toleration possible for him. The English crown could not be strengthened, as was the case with other powers, by encouraging the ideas of Catholicism: on the contrary, it was rather supported by the authority which it had wrested from the Papacy. The royal supremacy over the Church was intended, by means of the closest alliance with the Protestant bishops, to become, in the hands of the supreme power, a weapon which should be employed in all three kingdoms. The bishops were confirmed in their possessions and dignity; moreover the common opposition to their opponents, who had been hated by the Stuarts before they left Scotland, united the bishops as closely as possible with the sovereign, whose cause they defended as their own. When the crown found that its interest lay in sparing the Catholics and suppressing the Puritans, an extraordinary effect followed;

the ecclesiastical power which had grown out of the Reformation proved more favourable to the adherents of the old creed than to the zealous champions of the new.

This was completely in harmony with the position of the Stuarts when they received their crown. They wished to be Protestants, but to avoid the hostility of the Catholics and, if possible, to annihilate Puritanism. Their relation with the Episcopal Church was on the whole the same with that which Elizabeth had established; but it differed from it, inasmuch as the Queen persecuted the Catholics with decided hostility and tolerated the Presbyterians as her indispensable allies in this conflict, while the Stuarts hated the Presbyterians, and wished to grant toleration to the Catholics.

The hereditary right of the Stuarts, which was acknowledged by both religious parties, had been the ground of the union between Scotland and England, and of the greater obedience of Ireland: it was therefore natural that the Parliaments should appear to these monarchs to be subordinate provincial bodies, which had only a limited influence on the government of the whole monarchy. They thought themselves fully warranted in enforcing the rights which the monarchy derived either from the abstract idea they had formed of it, or from the customs of their predecessors, without regard to the Parliaments. They regarded them as assemblies of counsellors which they might consult or not at their discretion, and whose duty it was to support the crown, without the right of dictating to it in any way, or of obstructing it in its movements.

The whole system arose out of the views, experiences, and intentions which James I brought with him to the English throne. But this sovereign was as skilful in practice as he was aspiring in theory. Incessant oscillation between opposite parties had in him become a second nature. He avoided driving the adversaries with whom he contended to desperation: he never pushed matters to an extremity. He never lost sight of his end for a moment, but he sought to effect his designs if necessary by circuitous paths, and by means of clever and pliant tools; he had no scruple about sacrificing

any one who did not serve his purpose. Charles I deemed it important to avoid this vacillation. He loved to be served by men of decided tone and colour, and thought it a point of honour to maintain them against all assaults. He adhered without wavering to those maxims and theories which he had received from his father, and which he considered as an heir-loom. He always threw himself directly upon the object immediately before him. In the world which surrounded him, Charles I always passed for a man without a fault, who committed no excesses, had no vices, possessed cultivation and knowledge to the fullest extent, without wishing to make a show in consequence: not indeed by nature devoid of severity, which however he tempered with feelings of humanity;—for instance, he could hardly be brought to sign a sentence of death. Since the death of Buckingham he appeared to choose his ministers by merit and capacity, and no longer by favouritism: even his queen seemed to exercise no political influence over him. But this calm, artistic, religious sovereign, certainly did not add to his qualities the cleverness which marked the administration of his father. James could never be really affronted: he put up with everything which he could not alter. Charles I had a very lively and irritable sense of personal honour: he was easily wounded and sought to revenge himself; and then perhaps he committed himself to enterprises, the scope of which he did not perceive. He wanted that general sense of the state of affairs which distinguishes what is attainable from what is not. He prosecuted the quarrels in which he was involved as zealously and as long as possible, and then suddenly renounced them. People compared him to a miser, who turns over every penny, as we say, before he parts with it, but then suddenly throws away a large sum. Yet still when Charles I made concessions, he never made them unconditionally. This trustworthy man could bring himself to balance the promises he made in public by a secret reservation which absolved him from them again. With Charles I nothing was more seductive than secrecy. The contradictions in his conduct entangled him in embarrassments, in which his declarations, if always true in the sense he privately gave them, were only a hair's-breadth removed

from actual and even from intentional untruth. His method of governing the State was in itself of an equivocal character, inasmuch as he declared that he wished to uphold the laws of England, and then notwithstanding made dispositions which rested on obsolete rights and ran counter to what all the world deemed lawful: he affirmed that he did not wish to encroach upon Parliamentary government, and then nevertheless did everything to relieve himself for a long period from the necessity of summoning Parliament. Notwithstanding all the forbearance from shedding human blood which he had imposed on himself, yet he had the severest punishment inflicted upon the opponents of his system, by which even their lives were endangered. For his political aim outweighed all other considerations, and he did not hesitate to employ any means to attain it.

The system of Charles I consisted in making the royal prerogative the basis of government. He had no military forces however which he could employ to secure that object, such as at this time were used in France to maintain the supreme authority: on the contrary, foreigners were surprised to see how completely the King was in the hands of his people; that there were hardly any fortresses to which he could fly for safety in time of need; that everything depended on the laws and their interpretation. This was just what gave importance to the fact that some of the heads of the judicial body, and those too the very men who had formerly belonged to the Parliamentary party, such as Noy and Littleton, now became champions of the prerogative. Their change may have been due to altered convictions and lawyer-like attachment to one side, as there was much found in the laws which could be urged in favour of their present view; or it may have arisen from slavish ambition, animated by the desire to obtain the highest offices. Many persons in England as well as in France, and with the same zeal which was shown in that country, espoused the idea of the sovereignty of the crown; they thought that it was older than all Parliaments, and was acknowledged in the laws. From the duty of defending and ruling the kingdom they inferred the right of the King to demand from his subjects the means of fulfilling that duty. All the provisions of Magna

Charta, or of the laws of Edward I to the contrary, or the doctrines of law-books, which in fact contained much that was indefinite and dependent upon the circumstances of the time, were of no account in their eyes in comparison with this right. And while the advocates of these views thus had a position which could be regarded as legal, the administration had already found in the Lord Deputy of Ireland a man who had the will and the capacity to develop government by prerogative to its full proportions. And the Archbishop of Canterbury, who had never wavered for a moment, so conducted the government of the Church as to uphold the King's prerogative of supremacy in ecclesiastical affairs. He appeared to aim at establishing, or rather, properly speaking, already to possess in substance a British patriarchate, such as that which long ago in Constantinople had stood beside the throne of the Greek emperors, and had promoted their views. Although different in procedure, and in the foundation on which they rested, these efforts had a general coincidence with the policy which was being carried out in other great monarchies in the name of the sovereign by ambitious ministers, obsequious tribunals, and devoted bishops. Where in England was the power which could have resisted it?

In order to realise the dull dissatisfaction and the despair of the mother-country which was spreading in consequence, we must recollect that the colonisation of New England was due to emigration from English shores. Even at an earlier time a troop of exiled believers, who termed themselves pilgrims, and who in fact were seeking a refuge in Virginia, had been driven further north, where they founded New Plymouth. After existing for ten years, the colony reckoned no more than three hundred members, and it still lacked legal recognition. But the increasing ecclesiastical oppression which prevailed in England now impelled a number of families of some property and position in Suffolk, Rutland, Lincolnshire, and Northamptonshire, to turn their steps in the same direction. Their principal object was to erect a bulwark in these distant regions against the kingdom of Antichrist, which was being extended by the Jesuits[1]. For they thought that they had

[1] From a letter of the younger Winthrop in Bancroft i.

to fear lest the English Church also should fall a victim to the ruin which had overtaken so many others. How much better, they imagined, would the faithful in the Palatinate and in Rochelle have done, if they had seized the right moment to secure an asylum for the exercise of their religion on the other side of the ocean! That country in which they could best serve God seemed to them their fatherland. As it conduced to their safety that they should not cross the sea as fugitives without rights, they obtained for themselves a transfer of Massachusetts Bay and the neighbouring territory, drawn up according to the forms of English law. But even this was not enough to satisfy them, for they did not wish to be governed from England, after the fashion of other colonies. They did not decide on transplanting themselves until they had received by charter the right of transferring the government of the colony to the other continent. John Winthrop, if not in wealth, in which some others surpassed him, yet in descent and position the most distinguished among those who conducted the enterprise, was the first governor of the society and of the colony. In the year 1630 the emigrants, numbering about 1500, crossed to America in seventeen ships, sailing from different ports. But year by year other expeditions followed them[1]. For on this side of the water the pre-eminence accorded to the English Church was constantly becoming more decided, while on that side Presbyterianism, in the strict form in which it was now embodied, had free scope. In the year 1638 the colonists were reckoned at 50,000, and they had already established a number of settlements in the country.

And this colony even then appeared a place of refuge for political exiles. We must certainly reject as unfounded what has been so often related and repeated, that Hampden and Pym were hindered by the government itself from going to America: but it is true that they had entertained the thought of going. Their names are found on the list of those to whom

[1] In the year 1634 D'Ewes (Autobiography ii. 112) expresses his astonishment at the number of God-fearing people of both sexes who were resorting to that far-distant region, 'there to plant in respect of the doctrinal part one of the most absolutely holy orthodox and well-governed churches.'

A.D. 1637.

the Earl of Warwick assigned as a settlement a large tract of coast which he had acquired [1].

The catalogue of these names is also remarkable in other ways. We find on it the names of Lord Brook, and of Lord Say and Seale, who, like the Earl of Warwick himself, were among those members of the aristocracy who offered the most decided opposition to the designs of Charles I and of his ministers. They passed for opponents of Weston and of the Spaniards, and for friends of Holland and even of France. Another special bond of union was the Presbyterian interest which was, as it were, the element in which the colony lived and moved. Lord Warwick, one of the largest proprietors in England and America, was one of the principal patrons of the colony. His mother's name is conspicuous among those of the benefactors of the new plantation.

But the nobility in general were by no means upon the side of the King. Their influence indeed had been already felt in the attacks directed by the Lower House against the rising power of Buckingham. If the King abstained from convening another Parliament, they would thus lose the principal influence upon public affairs which they possessed. The English aristocracy did not share the fiery impulses of the French; as it did not at once rise in insurrection, it did not incur those chastisements for disobedience with which the other was visited by an inaccessible power in the State. It waited for a convenient season to come forward.

Like the great nobles, and even in a higher degree than they, the landed gentry felt themselves threatened and endangered by the revival of laws which had fallen into abeyance, and claims to rights which had been forgotten. The extension of the forest-laws was effected without their participation by juries of foresters, wood-rangers, and other persons interested in the advantages which were to be expected from such an extension: their verdict was afterwards confirmed by judges discredited by the suspicion of partiality.

The displeasure of other circles was roused by the degrading penalties which the ecclesiastical courts inflicted on men of no mean position. Very few might find pleasure in

[1] In Hutchinson i. 64.

Prynne's attack upon the drama; but to crop his ears for some words which referred to the Queen appeared an affront to his University degree and to the barrister's robe which he wore.

And how deeply was public feeling humiliated when the sentence of the judges followed affirming the royal claim to ship-money: men were seen passing one another in silence with gloomy looks. Even those who did not grudge the King a new source of revenue, and esteemed it necessary, were yet alarmed that it could be assured to him without grant of Parliament. The doubtful legality, to say the least of it, of this proceeding inspired anxiety lest the untrustworthy, morally contemptible and covetous men who contended for the claims of the crown, should become masters of the government, without any possible expectation of a Parliament to instil into them some fear and respect.

Such however was now the condition of affairs: no one had a position which enabled him to raise his voice to remonstrate; and any free expression of opinion involved the extremest danger. The authority of the Church and of the judges, supporting itself on its own interpretation of the laws, now governed England. This system was extending itself over Scotland by the agency of the friends and adherents of Laud: in Ireland a resolute will drew the reins as tight as possible. It seemed likely in fact that the union of monarchical and ecclesiastical power, which prevailed in the rest of the Teutonic and Latin world, would also take possession of England, and would thus gain a complete ascendancy.

The foreign policy of England was fairly in keeping with these tendencies in domestic affairs. The great Anglicans and champions of the prerogative showed little ardour for the cause of European Protestantism. On the other hand the adherents of Parliament, and the Nonconformists, regarded the cause of this creed as almost identical with their own:—opposite views which were found even at court, but threw the nation most of all into confusion, and were the main cause why the efforts of the King encountered a resistance which by degrees proved insuperable.

The great struggle began in Scotland.

CHAPTER V.

ORIGIN AND OUTBREAK OF ECCLESIASTICAL DISTURBANCES IN SCOTLAND.

NOT one of the governments of Protestant countries had had so little share in carrying out the reform of the Church as that of Scotland. The change had taken place in opposition to Mary Stuart, or the representatives of her rights. James I had accepted it, so far as doctrine was concerned; but he had from the first shown a dislike for the ecclesiastical constitution in which it was embodied.

His ancestors had always found support in their connexion with the hierarchy; and in the same way we have noticed that this prince, induced in the first instance by the relations of the different elements in the state, had sought to restore episcopacy. Political reasons were supported by considerations of a strictly religious character, but above all by the example of England. The establishment of episcopacy appeared to him the principal step towards effecting the union of both countries: he regarded it as one of the great tasks of his life.

Properly speaking the revival of episcopacy passed through two different stages of development during his reign.

So long as George Gladstane was Archbishop of St. Andrews (1607–1615), the Scottish episcopate remained pretty nearly what it was originally intended to be—a superintending body such as had previously existed. Gladstane showed great indulgence in the exercise of his archiepiscopal rights themselves. He tolerated everywhere the ecclesiastical usages which had been imported from Geneva, and which allowed much freedom to the minister. Among learned theologians a school was developed, principally by Cameron's action in

opposition to Melville, which reconciled itself to the episcopal system in this shape, and many ministers adhered to it. A sensible addition was made to the strength of Anglican and episcopal tendencies when, in the year 1615, John Spottiswood became Archbishop of St. Andrews, and thereby primate and metropolitan of the Scottish Church: he was one of the three bishops who had received their episcopal ordination from English bishops, and had in consequence espoused the theory of apostolical succession. Even Spottiswood did not go so far as to wish to take the legislative power of the Scottish Church out of the hands of the General Assembly of the clergy: on the contrary he himself, in conferring with the King, opposed a scheme of legislation which aimed at this object; but, while he reserved the rights of the Assembly, he thought himself justified in using it to promote the reception of episcopal authority, and to bring about a nearer approach to the Anglican system. In this he sided with the King, even if he was personally not convinced of the necessity of a change. He cherished the opinion that obedience must be shown to the King in everything which was not in contradiction to the faith; and he asserted this principle in the Assembly of Perth in the year 1618, with such success that the King's proposals were accepted by a considerable majority. These proposals were embodied in the decrees known under the name of the Five Articles of Perth. They decided various points, among which the practice of kneeling at the reception of the Lord's Supper, and the observance of high festivals were the most important.

But whilst the Archbishop satisfied the King, he provoked the hostility of those zealous Presbyterians who looked upon the conclusions of the Assembly, which they affirmed to have been this time influenced by the bishops, as a falling away from former laws, and were ready to urge many objections to them on the ground of doctrine. The practice of kneeling at the reception of the Lord's Supper was objected to by them, because no mention was made of it in the words of institution. They met the demand that they should observe high feast-days with the assertion that they contained points of agreement with heathenism; as for instance Christmas Day was

only another form of the Norse Yule Feast[1]: and they laid the greatest stress on keeping Sunday strictly as the Sabbath. The rest of the Articles of Perth were almost entirely disregarded, and these two, the most important of them, were very imperfectly carried out[2].

The distinction between active and passive resistance in regard to the will of the sovereign, which appears at this moment, is significant of the state of affairs. The ministers did not wish to resist the King, for they were still doubtful whether such conduct was reconcilable with the Divine commands; but they refused on their part to follow ordinances which they deemed unlawful and inconsistent with the established religion. This obedience which they refused would be active obedience: merely to abstain from resisting they also considered obedience, and this they denominated passive obedience, and believed that they might satisfy their duty by paying it[3].

James I had no desire to go further, and resisted the demands of those who urged him to do so; for, as he said, he knew his people, and did not wish to fall out with them as his mother had done.

In the first years of his reign Charles I also allowed toleration to prevail. When the preachers who had been appointed before the introduction of the Articles of Perth neglected to obey them, he overlooked their omission. The affairs of the Scottish Church were left in the hands of Spottiswood, who, in spite of all counter-influences, conducted them peacefully, with foresight, and with a certain moderation. But when, after the conclusion of peace with France and Spain, the system of combining ecclesiastical with political authority began to prevail in England, affairs assumed another aspect in Scotland as well. The vacant bishoprics, which had hitherto been filled up according to the recommendation of the Scot-

[1] We know that the boar's head, which was eaten, conveyed an allusion to Gullinbursti, the bristly boar who signified the sun. Bede derives Easter from a German goddess Eostra.

[2] According to a notice by Spottiswood 1627. Aiton, Life of Henderson 118.

[3] Calderwood, the author of the history, put this distinction before the King himself, according to his account, vii. 263: 'We will rather suffer than practice. To suffer is also obedience.'

tish bishops, were now disposed of according to the wishes of William Laud, whom the King made his counsellor in the affairs of the Scottish Church as well as of the English. He, however, selected young men who concurred with him in his hierarchical and theological opinions. A new system, the Laudian, later indeed also called the Canterbury system, found acceptance in regard to the constitution and dogmas of the Church. General assemblies of the Church were as carefully avoided in Scotland, as Parliaments in England; and that with the definite object of concentrating ecclesiastical power entirely in the hands of the bishops, on which subject the testimony of the early Church was collected and put forward. At the same time favour was shown to those Arminian opinions which ran counter to the common feeling of the country in favour of Calvinism, that had been strengthened and advanced by the Synod of Dort. When Charles I came to Edinburgh in the year 1633, he was attended by Laud; and his design of introducing into Scotland the external forms of divine service in use in the Anglican Church was displayed without any disguise. In the royal chapel their introduction was attended with no difficulty; but elsewhere no one would hear of it. In Parliament the King met with opposition in his attempt to determine the most purely external matter of all,—the dress of the clergy. In proportion as the government favoured the introduction into Scotland of usages similar to those of the Anglican Church, zeal for Presbyterianism, which in contrast with these usages was identified with Puritanism, gained the upper hand. In May 1633 an address was presented to the King, in which the absence of binding force in the Articles of Perth was again pointed out, and a restoration of independent ecclesiastical jurisdiction, and of the old constitution in general, was demanded. It was urged that a General Assembly of the clergy ought to be held every year; that the prelates called to a seat in Parliament were bound by the instructions of the Assembly, and were responsible to it. What the petitioners desired to restore was the old independence of the Scottish Church as established on its first erection, free from all encroachments of the crown, and with a merely nominal episcopate such as that

established by the statutes of 1592 and 1597, which the King was requested to restore.

Under the pressure of encroachments, which increased notwithstanding these manifestations of opinion, a peculiar form of opposition grew up in the Scottish Church, which at any rate went perceptibly beyond the bounds of passive obedience[1]. The ministers hit upon the institution of private meetings, which were held with the faithful who were in agreement with them. At the beginning of every quarter notice of these meetings was secretly given, and every member prepared himself for them beforehand by fasting. The assembled congregation then set itself to take into consideration the danger which threatened the true Church from the action of the bishops. Prayer was made to God that He would put an end to this danger by wholesome means[2]. At times there were even conflicts in those congregations whose ministers had submitted to the ordinances of the government. When meetings, instituted after the model of Geneva, were held before the Communion for putting an end to all mutual complaints, the ministers were called to account by some members of the congregation. People would no longer receive the Lord's Supper at their hands, nor according to the prescribed ceremonies; but they sought for men who observed the old ritual, or else they abstained altogether from communicating. To the official church of the King and the bishops, almost as in former times, when the revolt from the Papacy took place, a secret worship was opposed which united men's hearts in inward resistance to the attempts of the government.

And on this as well as on the former occasion the opposition spread to the highest circles in the country.

The Stuart kings of Scotland had striven from the beginning to break down the importance of the great vassals, which was due to the old clan relationship, but especially to wrest

[1] Grivances and petitions—presented by me, Mr. Thomas Hogge, minister of the evangell, in my aven name, and in name of others of the ministry. Balfour Annales, ii. 207. Among their complaints was one relating to the name Puritans. 'Pastors and people adhearing to the former professione and practisse are nicknamed puritans.'

[2] The Memoirs of Bishop Guthry 9.

from them the administration of justice. King James on his last visit had instituted public discussions about questions of this sort, and with an air of triumph had announced to the chieftains the joy he felt when he vindicated his claims on these occasions. But Charles I now assailed the position which the nobles at that time occupied with regard to property. The collection of tithes had given the nobles great authority over the proprietors themselves and over the clergy who were interested in them, although only to a small extent: these he now made redeemable. He attempted to take back, either in the interests of the crown or for the endowment of bishoprics, a part of the property of the Church which had passed into the possession of the nobles during the tumultuous times of the Reformation. Even this occasioned great agitation, especially as it was intended to carry out the measure without giving compensation. Lord Nithisdale, who attempted to enforce it in the name of the King, ran a risk of losing his life in consequence. The violence of feeling was still further increased by the favours granted in political matters to the Protestant hierarchy[1]. Controversies about precedence arose between the temporal dignitaries of the state and the bishops, who were reinstated and, arrayed in silk and velvet, rode to Parliament in the midst of the nobility with all the old ecclesiastical pomp. At the coronation of 1633 the King wished that the Archbishop and Primate should take precedence of the Chancellor for that one day only. The Chancellor Hay, Earl of Kinnoul, answered that, so long as the King left his office in his hands, he would retain it with all its privileges, and that no man in a stole should walk before him. But not rank and honour alone, but very substantial elements of power, were at stake in this dispute. Among the thirty-two Lords of Articles, upon whom in Scotland the previous discussion of all resolutions to be laid before Parliament devolved, the eight bishops were the chief: they nominated the eight noblemen, and these latter the sixteen other members. It is plain that by this means they exercised a very active influence upon the

[1] From the report of the King-at-arms. Aiton, Life of Henderson, 129, 137.

deliberations of Parliament. But the ecclesiastical jurisdiction which was set up was still more burdensome to the Lords. In Scotland, as well as in England, a High Commission based upon this supreme jurisdiction of the King was instituted, in order to bring before the tribunal all transgressions of ecclesiastical ordinances, and even those persons who were only suspected of transgressing them. The Privy Council, which exercised the power of the King in Scotland, was commissioned to enforce its sentence. The clergy and the men of learning first felt the pressure of this authority, but neither birth nor rank were a defence against its proceedings. The Scots affirmed[1] that the tribunal outdid even the Spanish Inquisition in harshness and cruelty. While in this way bitter feelings were raised by the collision between the high nobility and the bishops, the most disagreeable impression of all was made on the former when King Charles introduced a number of bishops into the Treasury-board, into the temporal courts of justice, and into the Privy Council. In old times the seals of the kingdom had been for the most part in the hands of learned clergymen, because from their experience in canon as well as in civil law they could best advise the King: following this practice, Charles I in the year 1635, after the death of Kinnoul, nominated an ecclesiastic, no other than Archbishop Spottiswood himself, to the Chancellorship of the kingdom[2]. This dignity had been latterly an object of emulation and ambition among the temporal lords; and they felt themselves aggrieved when a clergyman, who thereby combined the supreme spiritual with the supreme temporal authority, was preferred to them. The person most mortified was Archibald Lord Lorne, afterwards Marquess of Argyle, a man who thought that he had

[1] 'La quelle (it is said in an instruction of 1640) en rigueur et cruauté surpasse l'inquisition d'Espagne, car en cette nouvelle cour les evesques seuls commandoient à la baguette, avec un pouvoir absolu—à l'encontre de toutes sortes de personnes, de quelque condition et qualité qu'elles fussent.' Russel, Life of Spottiswood xliii.

[2] Baillie, Jan. 1637. 'The last year (1636) our bishops guided all our estate, and became very terrible to our whole country.' A later petition (1638) of the Scottish Privy Council complains of 'the illimited power which the lords of the clergie in this kingdom have of late assumed—its unwarranted power.'

a definite claim to the office, and who indisputably possessed all the capacity required for it. The aspiring Bishop Maxwell roused the jealousy of the treasurer, Lord Traquair, who suspected an intention of dispossessing him of his place, and investing the bishop with it.

In this way the advancement of the ecclesiastical element had already roused various antipathies of a political and religious nature. The nobles feared for their possessions and for their jurisdiction, especially as some well-grounded objections might be made to the latter; principally however for their share in the authority of the state, which seemed doomed to pass into the hands of the clergy. The country clergy cherished anxiety for their independence, and the people for the accepted ecclesiastical usages with which religion itself appeared to them to be bound up. Yet all this would hardly have led to an open outbreak of discontent. Meanwhile, however, the King and Archbishop Laud again took up an old plan which had been formed by James I, had been long ready for execution, and had only been postponed on account of the difficulties into which the King had feared to fall in consequence,—the plan of fortifying the episcopal power in the Scottish Church by issuing a new book of canon law, and at the same time of binding Scotland more closely to England by bringing the Church service of that country into conformity with the English. A similar attempt on the part of the Lord Deputy had just succeeded in Ireland: why should not such a measure be forced through in Scotland? The majority of the Scottish bishops held out hopes of success.

The Book of Canon Law was first brought out. It was drawn up by three English bishops, the Archbishop of Canterbury, and the Bishops of London and Norwich, who belonged to the prevailing school of opinion. It was sent to Edinburgh, there amended, ratified in this shape by the King, in May 1635, and promulgated in the year 1636.

It stands in sharply-defined contradiction to the ecclesiastical customs and to the opinions of the Scots.

The Scottish Church had always opposed the royal supremacy: but in the new law-book this was laid down and enforced on pain of excommunication against all who should

resist it, on the ground that it had been exercised by the Christian emperors of the first age. The Scots had originally claimed an independent legislative authority for their Church assemblies: the new law not only ordained that they must be summoned by the King, but also that even the bishops should not be authorised to introduce any alteration without the previous consent of the King. Single ordinances, as for instance those which prescribed the form of prayer in the Church, or the consequences of divorce, ran directly counter to Scottish usage. But the authority of the bishops, which all the measures aimed at securing, gave the greatest offence. The bishops alone were to have the right of expounding the Scriptures; private meetings of ministers for this purpose were to be forbidden; no one was to be allowed to controvert the opinion of another minister of the same diocese from the pulpit without permission of the bishop; without this permission no one was to give instruction either in public or in private; the bishops were to inflict punishment at their discretion when any publication appeared in print without the approval of the censor[1]. It is plain that these provisions put the whole internal life of the Church in regard to opinion and doctrine into the hands of the bishops. And was not the constitution of the Scottish Church virtually abolished when canons which made so thorough a change were to be introduced without the participation of the General Assembly? This was an affront to the national feeling of the Scots. 'Supposing it were true,' they said, 'that the Scottish Kirk belonged to the province of York (as was formerly pretended), yet more than the bare warrant of the King would be required to introduce ordinances which affected the life of the Church collectively.' The laws enforced beforehand, and that under threat of the severest penalties, the acceptance of a liturgy which had not yet appeared.

In October 1636 this liturgy was proclaimed by the King, and the order to conform to it was promulgated amid the sound of trumpets. No one had yet seen it. But a rumour

[1] Canons and Constitutions Ecclesiasticall—ratified by H. Maj. royal warrant—and ordained to be observed: Aberdene, 1636. Cp. Collier, Eccl. Hist. ii. 762.

circulated to the effect that to the English ritual, which already retained too much of Roman Catholicism, it added still further ceremonies of a decidedly Popish tendency. It was to be introduced at Easter 1637: at last it made its appearance, at any rate in single copies.

The introduction into the Scottish Church of the English Prayer-book in its entirety had been originally contemplated, and in no other way can the arguments be explained which are given in the preface. The union of Christian churches in one system of doctrine and under one ritual was therein stated to be the most desirable end possible, which, as the authors lamented, could not be universally attained, but must be striven for in those countries which obeyed the same sovereign. The Scottish bishops, however, had thought that the book would meet with a better reception in their country, if it were not simply the English Prayer-book. Draughts of alterations were more than once forwarded from England to Scotland, and sent back again from the latter country: the King himself had a personal share in them. For the most part they were attempts to return to ancient rituals that had existed before those ages which could properly be called hierarchical. If the choice lay between Protestant forms of expression, the older were accordingly preferred to the more recent. The greatest stir was made by the formula which was prescribed for the administration of the Lord's Supper. The selection of this was connected with the differences between the first Book of Common Prayer of the year 1549, and the second of 1552, which was drawn up at a time when Swiss doctrinal conceptions exercised a stronger influence. The first form clings to the doctrine of the Real Presence: the second corresponds more nearly to the idea of a commemorative meal. Under Queen Elizabeth, who believed in the Real Presence, both formulae had been combined; in the Scottish Liturgy Laud returned to the first. Nothing is there said about Transubstantiation: the formula could not be called Catholic but Lutheran. But it was at any rate a departure from Calvinistic conceptions, which regarded Lutheran views as far too nearly allied to Roman Catholic: popular comprehension interchanged

the one with the other. But nothing more was wanting to give prevalence to the opinion, for which the way had already been sufficiently prepared, that the Liturgy was to pave the way for the re-introduction of Catholicism.

Neither Charles I nor Archbishop Laud had any such design. But could any one be surprised that they were charged with entertaining it? The toleration which the King allowed the Catholics to enjoy, and from which the Catholic element received fresh life in the neighbouring kingdom of Ireland; his connexion with the Catholic powers; his dilatoriness in the affair of the Palatinate; his inclination to Spain, which was constantly re-appearing; the presence of a Papal envoy at the English court; the authority which men professing Catholicism acquired in the administration of the State,—all these considerations might well supply reasons why this anxiety might be felt without any discredit to those who entertained it; though rumour exaggerated their importance. Further indications were supplied by the book of Canon Law, which gave to the power of the bishops an extension corresponding with Catholic rather than with Protestant ideas; and even if fears were not exactly entertained about the further existence of Protestantism, yet the introduction of Anglican forms into Scotland could not fail to create general excitement. Tidings had just come of the shocking punishments which were inflicted in England upon the opponents of hierarchical tendencies: were men to be exposed to a similar procedure in Scotland? An instance had already been furnished of the lengths to which ecclesiastical tendencies could lead when supported by the laws against high treason, so extraordinarily severe in Scotland. Lord Balmerino had been condemned to death for the share which he had taken in drawing up, or even in merely spreading about, the Puritan address before referred to: he owed his life solely to the mercy of the King.

The introduction of the Canons and of the Liturgy was not due to fondness for ceremonies nor to a passing fancy, but it was the keystone of the system which James I had all his life kept in view without carrying it out. Charles I took steps to bring it into execution. The Liturgy would

not have had much importance without the Canons: with the latter it completed the edifice of political and ecclesiastical subordination, which for the first time reduced Scotland to complete subjection. Properly speaking the whole country was against it: it was opposed by the Presbyterian element, nowhere stronger than there, by the native government itself, and by the great nobles, who felt themselves specially threatened and alarmed by the precedent established.

Not precisely on Easter Day, but soon afterwards, the introduction of the Liturgy was begun. It did not appear in print till April, when the arrangement by which every parish was to be supplied with two copies, could be carried out. Here and there divine worship after the new form was introduced, for instance in Galloway. Opposition indeed showed itself even during service, but it was treated as a disturbance of outward order, and had no further effect.

As people delayed to purchase copies the Privy Council renewed its ordinances, threatening the refractory with the pains of rebellion. On this the bishops thought that they could no longer delay in the capital, although the murmurs were loudest there. They appointed the last Sunday before the end of the regular session of the courts of justice for introducing the new Liturgy, in the hope that people on their return home would spread over the whole land the tidings of its introduction in the capital, and that this example would be followed. They perceived a sullen movement under their feet which they hoped to put an end to by prompt and consistent action.

But the adversaries of the Liturgy would not allow matters to go so far. The execution of the measure in the capital must have been followed by so great an effect, that they deemed it necessary to resist it.

Immediately before the day appointed, a number of proud nobles and ministers zealous for the faith were seen assembling in Edinburgh. Tradition affirms, although as often happens the statement is not fully attested, that the opposition which was then offered was excited and prepared by them.

On the 23rd of July, 1637, the dignitaries of Church and

State had assembled in the great church of St. Giles in Edinburgh. The Chancellor-Archbishop, many bishops, among whom the Bishop of Edinburgh did not fail to appear, the members of the Privy Council, although these were not all there, the members of the High Court of Justice, and the magistrates of the town, were there; they wished by their presence to give authority to this solemn proceeding. But the Dean had hardly opened the book when fierce cries arose from the midst of the assembled audience, which were redoubled when, at a signal from the Bishop, he began to read. Abusive epithets were directed against both, giving utterance to the opinion that they were lending themselves to an anti-Christian proceeding, for the sake of their own personal advantage; that the book was papistical, nay Satanic, and that Satan was already introduced into God's house. The women of the lower class who were present showed that rough impetuosity which characterises them in their personal behaviour: they rose up and threw their stools at the heads of the Bishop and the Dean. It was necessary to remove the tumultuous crowd before the Liturgy could be read or the sermon preached: even then this was done only amid noises at the doors and showers of stones discharged against the windows. The Bishop was attacked on his way home, and was saved only by the escort and protection of a temporal lord[1]. And so lively and powerful was the excitement, that the lawless and seditious proceedings which had taken place could not be punished.

On the 28th of July the Provost and Baillies of the town promised to provide for the peaceful introduction of the Liturgy on the next Sunday, and for the security of the persons concerned in it. The Privy Council wished for an assurance on the part of the citizens, over whom the magistrates had not complete power. The arrangements made for this purpose were thereupon to be proclaimed with beat of drum, but the repugnance to the measure exhibited itself so strongly that no one ventured to stir

[1] Account of the riots on Sunday, July 23, 1637. From Wodrow's Life of Lindsay, in Aiton, App. I.

it up to fresh outbreaks. On Saturday, July 29, the Archbishop and Bishops saw reason to propose that the use of the new Book of Common Prayer in Edinburgh should be postponed until the King should make known his pleasure in respect of the punishment of the tumult which had occurred, and should have taken measures for its peaceful execution. Meanwhile neither the old nor the new Liturgy was to be enforced, but only the sermon was to be delivered by obedient and compliant ministers[1]. The Privy Council assented to this.

The civic authorities took a fatal step when they gave way to an outbreak of the seditious feeling of the capital, and claimed the immediate interference of the distant sovereign in its behalf. In order to explain the commotion, people compared the noisy crowd with Balaam's ass, which was obliged to speak because men held silence: an expression in the Biblical phraseology of the time, which however may intimate the silent agreement of the upper ranks with the masses. They had been told that the Liturgy would destroy the old faith and bring back Popery. But what is more popular among great Protestant peoples than hatred of Popery? The ministers had from the first aimed at teaching the people that in matters of religion no blind obedience was due to the ruling powers, but that God must be obeyed rather than men. And with this doctrine on the present occasion an uprising of the multitude in the town against the magistrates was immediately connected, like those which had accompanied religious excitement on countless occasions, especially in the sixteenth century. The magistrates would have been glad to conform; but the populace held out and carried the day.

The public peace in the kingdom of Great Britain rested upon the undisturbed observance of the ordinances introduced, and on the customary obedience paid to constituted authority: the monarchy as we have seen was without weapons. But if order was to prevail anywhere, it must be disturbed nowhere. If a breach occurred in any one place, as at this time in Edinburgh, it affected the whole country.

[1] The Clergie's report about the Service-book. Apud Edr. 29 Julii, 1637.

The capital of the second of the two kingdoms had, by throwing aside its spiritual, at the same time thrown aside its temporal obedience.

After this first step in resistance, a second and more definite one was immediately taken. Some zealous ministers in Fife met the repeated summons to introduce the book by a demand that they might be allowed to prove it first, especially as it had not been laid before the General Assembly, which was the representative body of the Church. The Bishop of Ross replied to them that they were mistaken; that the representation of the Church was in the hands of the bishops. But this question was the great question of the day. The ministers, who insisted upon their old established claims, presented a petition to the Privy Council which, amid all this commotion, thought it expedient to hold a session on August 23, in the middle of the vacation. In this petition they based their request for a suspension of the order issued to them simply on the ground that the Liturgy had not been confirmed either by the General Assembly, which since the Reformation had always, they said, had the management of Church affairs, or by Parliament[1]. 'This Church,' they exclaimed, 'is a free and independent Church, just as the kingdom is a free and independent kingdom.' They thought that as the patriots should decide what was best for the kingdom, in the same way the pastors should decide what was best for the Church. They held that the Romish Church, to which this book brought them nearer, was just as idolatrous, superstitious, and anti-Christian now as at the moment when they had separated from it. The expressions which the speakers used were echoed back from all parts of the country. The Privy Council remarked with astonishment, that even those who had hitherto obeyed the will and the laws of the King, made common cause with his opponents. The Council thought that it was justified in suspending all further steps for introducing the Liturgy until the King had again taken the matter into consideration, and had expressed his will decisively.

[1] Supplication of certain ministers of Fyffe, and Information given to several counsellers, in Baillie, App. i. 400.

And in truth there could never perhaps have been a more opportune moment for seriously weighing the position of affairs, for investigating the causes of the discontent, and for meditating how to remove them. If any one had called to mind by what means James I had once succeeded in quelling the rebellion of the town of Edinburgh, he would have found that his success had been principally due to the King's agreement with the nobles of the country. If it had been asked how he had achieved so much in ecclesiastical matters, it would have been seen that the scale was turned in his favour, because among churchmen too he always had a party on his side, and knew how to avoid steps which would excite prejudices universally felt. But on the present occasion there were found, even among the bishops, some who resisted the introduction of the Liturgy, so that the Archbishop of Canterbury himself expressed a wish to learn the objections which were made against certain articles, and showed an inclination to pay heed to them. But it is quite clear that the matter could now no longer be settled in this way. Men's minds had been seized by anxiety lest their old native Church with which the independence and freedom of the country were bound up, should be brought to an end. This fear could no longer be dispelled by the surrender of one or two controverted points of theology. The King, dissatisfied with the Privy Council, which had not, as he thought, done all that lay in its power to enforce the two books, and extremely incensed by the tumult in the Scottish capital, demanded the punishment of the disorder, and the performance of divine worship according to the prescribed form[1]. He did nothing to calm either the nobles or the clergy; his declaration was not calculated to meet the existing state of affairs, of which the disturbances were symptoms, but rather the symptoms themselves, which he regarded as manifestations of a disobedience which the weight of his authority would soon suppress. But while he entertained this hope, he was forced to learn by experience that the cause of resist-

[1] A relation of proceedings concerning the affairs of the Kirk of Scotland from Aug. 1637 to July 1638, by John Earl of Rothes.

ance and disobedience received almost universal support in Scotland.

Expectations were rife that an answer from the King would shortly be communicated to the people; but at the same time fears were entertained lest an attempt should be made to introduce the Liturgy in Edinburgh by force on the arrival of the Earl of Lennox, who was on his way from his ancestral castle to the English court. At this juncture some of the more eminent among the great nobles, such as the Earls of Sutherland, Rothes, and Dalhousie, a great portion of the gentry, especially from the neighbouring counties, such as Fife, where hardly any remained at home, some deputies from the boroughs, and about a hundred ministers, assembled in Edinburgh in order to prevent the enforcement of any obnoxious measures, and to defend the ministers informed against by giving them free support in the Scottish fashion. When the reasons urged by these ministers had been stated, the assembled body declared that the introduction of the Liturgy would disturb the peace of men's consciences and the harmony of the country. They called upon the Privy Council to represent to the King the importance of the matter, which they said he ought not to regard as an ordinary tumult, and to prevail upon him not to tamper with the religion they professed. The Privy Council accepted the petition, which had the assent of its lay members; Lord Traquair had himself looked through the petition, and had softened some harsh expressions in it. The Earl of Lennox promised to do everything at court to put the King into a frame of mind favourable to it.

Thus the King's designs were met by a demonstration on the part of the most distinguished Scots, and indeed of almost the whole country itself; and it is clear into what embarrassment he must have been thrown by it, between the desire to give effect to his will, and the wish to continue at peace with the land of his birth. But from the first moment the opposition between them was too strong to be controlled by such considerations as these.

CHAPTER VI.

THE SCOTTISH COVENANT.

THE cause of Presbyterianism in Scotland was also the cause of the Presbyterians in Ireland and England. We hear of violent pamphlets which arrived from England and poured oil upon the flame. The greatest activity was displayed by the ministers who had been banished from the Scottish colonies in Ireland. Unable to offer further resistance in that country to the ordinances of Wentworth and of the Irish bishops, they sought refuge in Scotland: and as they found there a spirit like their own ready to meet them, they threw themselves with ardent and unbounded zeal into opposition to the progress of that episcopal authority which had compelled them to retire from Ireland. That discipline and subordination which had hitherto been maintained in Scotland had been broken up by the course of affairs above mentioned. All obstacles had thus been removed from their path in that country: the injustice which they had suffered doubled their hatred of the system of Charles I and his ministers; and they exercised an incalculable influence upon the excitement of Puritan and Calvinist feelings prevailing in Scotland[1].

But the cause of the Scots appeared to be at the same time the cause of Protestantism in general, which had been everywhere placed at a disadvantage in consequence of the defeat of Nordlingen. In the year 1637 the arms of the

[1] Spottiswood considers that it is most necessary to repress them by 'taking order with the deprived and exiled ministers of Ireland, that have taken their refuge hither, and are the common incendiaries of rebellioun, preaching what and where they please.' Letter to Hamilton: Baillie, App. i. 466.

A.D. 1637.

Catholics asserted their supremacy on the Rhine and in the Netherlands. The Swedes were driven back to the coast of the Baltic, and were not disinclined to accept a pecuniary indemnity. The Peace of Prague, which united the interests of the Emperor and of Spain with those of certain powerful princes of the empire, but did not satisfy the just demands of the Protestants, appeared destined to become an inviolable law of the empire. By this superiority of the Austro-Spanish power, France, which the year before was obliged to withstand a most dangerous invasion from the side of the Netherlands, felt herself threatened. We shall return hereafter to the political complication in the midst of which France and the other powers defended themselves against this ascendancy. They believed that by so doing they were at the same time defending Protestantism. It would have seemed very damaging to that cause if King Charles, to whom all the world ascribed an inclination in favour of Spain, had succeeded in carrying out his designs in Scotland. But, even apart from this, the advance which Catholicism was once more beginning to make roused the Protestant spirit to the utmost vigilance. From the Protestant point of view, the re-establishment in a Protestant country of institutions resembling the old form of worship and the old constitution appeared exceedingly dangerous. This is the true reason why people detected a tendency towards Catholicism in the introduction of the Liturgy. It was not found in the words, but the general tone which was felt to pervade it led men to this interpretation. The Scottish troops which served under the Swedish flag, their connexion with their native country, and their movements backward and forward, were the means through which the common feeling for Protestantism at large was kept alive in their country. If the fear lest the great religious struggle should have an unsuccessful issue was in the minds of so many Englishmen one of the principal motives for emigrating to America, how could the same cause fail to act upon the Scots as well? They thought that, supported by their ancient rights and laws, they could offer resistance without incurring on this account the guilt of rebellion.

The 17th of October was the critical day for the course which they afterwards adopted.

The harvest had now been gathered in, and a still larger number of persons than before had assembled in Edinburgh, with the intention of moving the capital, where the magistrates still adhered to the side of the King, to join in the petition which had been presented; and at the same time they wished to await there the answer of the King. A courier had already brought one, which was made known on the evening of that same day. It had not exactly the character of a refusal, but rather that of a postponement[1]. The King declared that he could not yet give instructions on account of the disturbances which had not yet been suppressed. For this reason he suspended the competence of the Privy Council in church-matters as the first step, and caused orders to be given that all who had come to the town should leave it within twenty-four hours. In order to remove the Privy Council from contact with the excited multitude, he ordered its sittings to be transferred from the capital to Linlithgow. In this manner he thought to check the influence of popular excitement upon legislation and government. But it would be impossible to describe what a storm broke out at this announcement among the assembled people. They saw in it the intention and will of the King to carry out the introduction of the Liturgy, at any rate as soon as he should find an opportunity, in spite of the wishes of his people to the contrary. One of the ministers present, himself a Presbyterian and an opponent of the Liturgy, expresses his astonishment nevertheless at the violent agitation by which his countrymen were seized: he says that it could not have been greater if any one had wished to force upon them the Mass-book itself[2]. In this frame of mind they were not satisfied with repeating and enlarging the petition, but a project began to gain ground which gave its whole tone to the movement in Scotland. Not content with standing

[1] The letter is given in Balfour ii. 236; the proclamation in Rushworth ii. 402.

[2] Baillie to Spang: Letters and Journals i. 23. 'I think God, to revenge the crying sins, is going to give us over unto madness, that we may every one shoot our swords in our neighbours hearts.'

A.D. 1637.

on the defensive against the Liturgy and the Book of Canon Law, the assembled people resolved to go further and to attack those to whom, in their opinion, the attempt to introduce them must be ascribed, on the ground that the measure was contrary to law. They resolved to make a formal charge against the bishops. For they thought that the bishops were the original promoters of both these books by which the doctrine and constitution of the Church established by law was to be upset; that it was intended to bring back the country to superstition and idolatry; that the King issued these commands at their instigation; and that the people were thrown into the unfortunate dilemma of being obliged either to suffer prosecutions and excommunication, or else to break their covenant with God; that every one, in fact, must endure either the vengeance of God or the wrath of the King. The nobility, the gentry, and the clergy, held separate meetings: each order had its own subjects for deliberation. However much the clergy might be divided into different schools, comprising adherents of Melville, of Gladstane, and even of Spottiswood, who sought to adjust their differences, they all agreed in opposing the present innovations. The complaint was first proposed and resolved upon among the clergy, then among the gentry, then among the nobility. Before the close of the evening a commission from the three orders was appointed to draw it up, and executed a draught of it without delay[1]. In this the reasons assigned were first set out. It was therein said that the petitioners, as in duty bound, addressed their complaints against the prelates and bishops, to God, the King, and the country, and prayed to be heard against them before a legal tribunal. Next morning this document was signed by twenty-four lords and three hundred gentlemen, and in the afternoon by all the ministers present. To many the expressions seemed too harsh; others thought the whole proceeding too violent: but it was the only step from which they promised themselves any result. A skilful lawyer, Archibald Johnstone, the

[1] Supplication against the Service-book, with a complaint upon bishops: in Rothes 49.

advocate, who combined zeal for the cause with a capacity for finding amid the flames of legal controversy forms which could be justified, had principally influenced the assembly at this moment, and had led them to think of a petition. They were wise in taking his advice, for what they required was not a manifestation of feeling, but the certainty of firm ground in the further conflicts that were to be expected. People felt that they would be brought to account for what had happened, and that the petition submitted to the King would be an object of judicial proceedings. The complaint against the bishops was first of all intended to put them in the position of parties concerned, and to prevent them from being able any longer to sit or to give judgment in the court of justice from which a sentence of condemnation might emanate. But this complaint had also a more comprehensive scope. Its authors did not intend to oppose the King as such, but to oppose the combination of temporal and spiritual authority, which constituted the essence of the form of state government he intended to set up. While the leaders of the movement recurred to the old laws, and considered the anti-hierarchical usage of the country as the foundation of all legality, and as that which above all must be represented in independent courts, an opportunity was gained for attacking the existence of episcopal power, whether in its present extension or under any form at all. From the existing order they went back to the circumstances of the time when Presbyterianism was in its vigour as the only legal state of things.

But if everything now depended on maintaining the legal ground, no inconsiderable obstacle appeared to arise from the inability of the Privy Council to adopt the new petition and complaint;—for this reason if for no other, that according to the last mandate of the King its commission in ecclesiastical affairs had been withdrawn. Manifestly therefore it could not take any legal action. Nothing else could be expected than that the spiritual courts, especially the High Commission, should begin proceedings against the petitioners.

The danger was increased by the fact that Edinburgh was

not only still liable to punishment for the old offence, but that it exposed itself to still heavier penalties by fresh tumults. While the three orders were pursuing their deliberations there, a rush was made in the town upon the council-house. The magistrates were actually compelled to pass their word that another petition in accordance with the prevailing temper should be sent up on the part of the town, deprecating alterations in the Church[1]. The nobles exerted their influence in this tumult in order to check acts of extreme violence, to which the people themselves appeared greatly disposed. But at all events, public order had been disturbed afresh by this means; and people felt that they must make up their minds that the government would do everything to chastise this fresh act of insubordination.

In order to meet this twofold danger, the assembled nobles and others, to whom on their request permission had been given to remain four-and-twenty hours longer in the capital, adopted a second resolution, which like the first entailed very wide consequences. This took place at a supper of the nobility, at which deputies from the clergy and the gentry also appeared. They agreed in refusing to acknowledge the jurisdiction of the High Commission, in case it should summon such as then signed or should afterwards sign the petitions against the two books, and to support one another in common in this refusal. By this means they not only secured themselves, but also the citizens of Edinburgh, who joined in supporting the petition, and who were expressly allowed to do so.

These were the events of October 17 and 18, 1637. If we consider merely the tumults in Scotland, they appear, as in so many other cases, to be the chance result of momentary ebullitions; but if we look at the legal steps which were coupled with them, we perceive connexion and consistency in the leading ideas. The Scots had now won a position, which they secured by mutually engaging to resist all steps

[1] Rothes: 'They might concur in the common way of supplicating against the Service-book.'

which the government was expected to take immediately, and which might be detrimental to those who had shared in the resistance. At the same time, by means of the petition, the way was paved for a return to the old condition of the country, which had preceded the establishment of episcopacy; and the widest prospect was opened in consequence. The petitioners already came forward as a great association embracing the whole country.

In a new assembly which was held in the middle of November, but which was appointed at the earlier date just mentioned, an additional step was taken which imparted a certain organisation to this association,

This assembly had a different character from the preceding. All tumult was carefully avoided: those who were present were hardly noticed in the street. Conferences about the petition and the acceptance of the complaint were held with Traquair, who had come with two of his colleagues from Linlithgow to the town for this object; but the importance of the day was derived from another feature

Those who were assembled set up a claim to be allowed to leave behind in Edinburgh representatives invested with full powers, assigning the very plausible reason that this would conduce to the general tranquillity, as they would then not be obliged to return frequently and in great numbers. It did not escape the Privy Council how obnoxious these representatives in their turn might also become: but another learned lawyer, none other than Thomas Hope, the King's Advocate, declared himself in favour of the scheme. It is affirmed that he had been in the secret of the whole movement, and had directed the steps taken from the beginning, and especially those of the nobility. He gave it as his judgment that it was lawful to choose representatives not only for Parliament, and extraordinary assemblies of the Estates, but also for every other public matter. On this the Privy Council could offer no opposition. It was determined that two members of the gentry from each county, a minister from every presbytery, and a deputy from every borough, with as many nobles as might choose to come, should constitute the representative body, but that besides these a smaller committee also, presided

over by some nobleman, should sit in Edinburgh, and have the immediate management of affairs [1].

And into this great league the town of Edinburgh also was now admitted. For it was said that what the common people there had been guilty of in the days of the excitement amounted to nothing more than such outcry and resistance as suppliants might oppose to the intended alteration in religion. The committee was charged to be on the watch lest anything should be done to injure them, and to take care that no attempt was made to introduce the Liturgy into the town by a surprise.

Thus the party which took the name of petitioners, came forward united in an organisation embracing the whole country. From the general body went forth the elected representatives, and from these the committee, in which the most enterprising magnates and the most zealous ministers were united. They formed a league to repel every movement on the part of the authority of the State, which might be made towards carrying out the King's policy. The most experienced lawyers, among whom was the King's Advocate himself, were on their side.

Matters had gone thus far, when in the beginning of December the Earl of Roxburgh entered Scotland with a reply from the King. Properly speaking it did not contain a formal answer to the earlier petition. The delay was excused on the score of the disturbances in the capital, by which the honour of the King was declared to have been insulted: but, while Charles I reserved to himself the right of punishing these offences, he sought to quiet men's feelings in the matter of religion. He declared in express terms that he loathed the superstition of the Papacy from his very soul, and that he would never do anything which ran counter to the religious confession or the laws of his kingdom of

[1] I do not find any confirmation of the definite statements of Aiton, Life of Henderson 207, according to which four noblemen, three lairds from the counties, &c., were said to have constituted this small commission. Rothes names only Sutherland and Balmerino, with six barons and some citizens (p. 34). Immediately afterwards (p. 34) six or seven noblemen appear as commissioners. The nobility had certainly a great amount of independence in the commission.

Scotland. The Privy Council did not delay for a moment to have this declaration everywhere proclaimed to the sound of trumpets, and as it produced a very soothing impression, it led them to hope that they might effect an adjustment of affairs on this basis. They said that the King manifestly gave up the introduction of the Liturgy: what more, they asked, could be expected from so kind and gentle a sovereign? Traquair said that a symptom of submission on the part of the capital, a single prostration on the part of its representatives, the deliverance of their charter into the King's hands, would content the King, for that he was most interested in preventing foreigners from believing that his authority was despised by his own people.

But the united petitioners were not to be satisfied so easily. They wished to be assured of the withdrawal of the Liturgy not by equivocal expressions, but in distinct and final terms. Above all, moreover, they wished to uphold the view that theirs was the truly legal mode of proceeding. They had taken counsel afresh with the most eminent advocates—the names of five of them are given—how the movements that had been begun, on the part of the town as well as on their own, might be justified by their aim, which was the restoration of the laws; and how on the other hand, the illegality of the spiritual tribunals might be proved. They showed signs of an intention to institute legal proceedings against those who calumniously asserted that their behaviour had been seditious. They upheld the complaint against the bishops with unabated zeal. Traquair had already at the meeting in November held out to them a prospect of reaching their end, if they would take their stand on the rejection of the two books alone. They answered that so much damage had been done to the constitution of Church and State, and to the freedom of the subject in regard to person and property by the bishops and the High Commission, that they could not be tolerated: that if the Privy Council would not receive the complaints against them, it might at least allow an information to be laid before it in regard to these questions. The Privy Council at any rate did entirely reject this proposal: it declared itself disposed

to receive both petition and information, in case the King's answer, when it came, should fail to satisfy the petitioners. But this had now actually happened. The confederate Scots demanded with impetuosity the acceptance of the petition and complaint. The Privy Council long refused to accede to the demand; it required that at least some violent and offensive expressions should be moderated; but as these affected the gist of the matter, the petitioners remained immovable. On their threat that if their demands were refused they would betake themselves immediately to the King with their petition, the magistrates, who did not wish to be passed over, resolved to receive the petition as it stood (December 21, 1637[1]). Lord Loudon, after the fashion which prevailed in the courts in Scotland, appended to it (in the name of all) a 'declinatory,' that is, a repudiation of every judicial sentence, which the bishops might take part in drawing up, on the ground that they were the accused, and that they would, if they sat, be judges of their own cause.

Thus what was clearly in itself a struggle against the will and intention of the King acquired the appearance of a legal controversy with the holders of episcopal power: the resistance in both cases was based on the same principle. For both attacks aimed at setting up again the old Kirk, so bound up with the independence of the country, as the only legitimate Church.

But all was not yet complete till the King had accepted the complaint against the bishops. Traquair set out for the court with the petition in which the complaint was embodied, with the declinatory of the petitioners and all other documents. He hoped, by giving thorough information about the state of affairs in Scotland, to induce the King to grant yet further indulgence beyond that of which Roxburgh had held out hopes.

King Charles did not really require new information about the particulars of what had occurred in Scotland; he was only too well informed of each and every circumstance by his

[1] Rothes, p. 25; but it was intended that the King's consent should be obtained.

adherents, especially by the bishops. The petitions and complaints had been given him to read before they had yet been addressed to him: he knew who had drawn them up, what exceptions had been taken to them, how they had at last been adopted: he knew the behaviour of each individual, and liked or disliked him accordingly. Traquair set before him, most of all, the power of the opposition, which he thought it was no longer possible to break down; he said that the King would require an army to procure acceptance for the book of the Liturgy: that in Scotland, now at all events, people would not allow the national Church to be governed by any one in England: that they would not submit to the influence of the Archbishop of Canterbury: that they demanded a parliament in order to bring controversial questions to a decision in the country itself; and that people would give way to such a body alone[1]. At least he himself affirmed that he had expressed these views. But Traquair was not a man whose statements could be accepted without reserve. He was himself one of the opponents of the bishops: he, as little as the other Scottish statesmen, wished to see them politically powerful: but at the same time, while he was aiming at acquiring importance in the estimation of the people, in order to increase his importance in the eyes of the sovereign, he fell into an equivocal position: no one trusted his assurances entirely. Other representations had also been made, according to which nothing but resolution and quiet perseverance were needed to revive the wonted obedience of the people. What a demand, it was said, was made when the King was asked to receive a complaint against the bishops who had been leagued with him in the same enterprise! He would by compliance have declared his own conduct illegal, and have broken up the constitution, which had been founded in Scotland at the cost of so much trouble by himself and his father.

[1] A. Correro, 5 Marzo, 1638: 'Il regno di Scotia, rettosi per tanti secoli colle proprie leggi nel viver civile cosi bene come nel ecclesiastico soffirebbero gia mai dichiararlo subordinato a questo, il che s'intenderebbe, quando quelle chiese ricevessero da questo arcivescovo di Canterbury le regole di laudar Dio.'

The decision which he gave was the opposite of that which had been expected from him. In order once for all to avert the blow which threatened the bishops, Charles I took upon himself the responsibility of everything which had been laid to their charge. He met the suspicions which had been thrown upon the Liturgy by the assertion that it was only intended to serve as a means of strengthening true religion and of dispelling superstition: he took praise to himself for the trouble which he had personally taken in its composition: he said that there was no word in it which he had not approved: he continued firm in his resolve that it must and should be accepted. He still adhered to his point of view on church matters with a full sense of his dignity. He said that if meetings had been held and petitions forwarded to him in opposition to the book, he would ascribe this conduct rather to mistaken zeal than to intentional disobedience, and that he would pardon it; but that for the future he forbade every assembly of this kind under threat of the penalties inflicted on treason.

James I had always succeeded in keeping alive the idea of the obedience that was due to him. Following his example, Charles I came forward personally, as it were, in defence of his cause: was it not likely, he thought, that the disturbance would be kept within bounds on this occasion also by the interposition of the supreme authority? Would men refuse to seize the means of escape afforded by the amnesty which the King offered, and prefer to break with him instead?

But already during the last tumult astonishment had been excited by the slight effect which the name of the King had produced. We read in a contemporary letter that any one wishing to take King Charles's part would have endangered his life, that a demoniacal frenzy possessed the people, that men had now a notion that Popery was at their doors, and would not let it go. Baillie expresses his fear lest they should be forced to drink the dregs of God's cup which had been so bitter for the French and Dutch, and his apprehension not merely of a schism in the Church, but of a civil war.

The King had been supposed, from his previous declaration, to disapprove of the innovations attempted; for he had then said that he would maintain the laws, to which these innovations were plainly seen to be opposed: if nevertheless he now approved them, this change was also regarded as the work of the bishops only, by whom the name of the King was thought to be abused. But people could never bow to this, and allow the bishops in any way to resume those powers of which they were thought to have been virtually deprived. As the royal proclamation declared all previous assemblies and their resolutions, supplications, and petitions to be null and void, it was thought necessary, before it was received throughout Scotland, to forestal it by a protestation, and in this way to keep the declinatory in force. Measures were taken with this object at the Castle of Stirling, in Linlithgow, and above all in Edinburgh, where the main body of petitioners now again appeared. In order to keep them together, and to enable those who resisted the royal proclamation to take up an imposing position, a still more universal demonstration seemed requisite. More than half a century before, when the Western world was most violently shaken by the conflict between Catholicism and Protestantism, and the Scots feared that they had secret adherents of Catholicism present among them, they had set up a confession of faith in which all leanings in that direction were abjured in harsh terms (March, 1581). This confession, which King James had approved, had been considered as a covenant of the nation with its own members and with God, for it was sworn to in the high name of God. A design was now embraced not only of renewing it, which had been done more than once, but of giving it a fresh and immediate importance by adapting it to the prevailing tone of affairs. Alexander Henderson and Archibald Johnston the lawyer, who were the leaders and pioneers of every step of the movement, were commissioned to draw out the alterations, which they then laid in the first instance before Lords Rothes, Loudon and Balmerino. It was not altogether an easy matter to find a formula with which not only those who had previously conformed would be contented, but those also who from the beginning had placed themselves in

opposition: at last however one was arrived at. The gist of the declaration drawn up lies in the identification of the King's efforts to reduce them to Anglicanism with the hostile movements of the Catholics in former times. It was laid down that the religious abuses noticed in the last petitions and declarations might be looked upon in the same light as if they had been condemned in the old confession: every one pledged himself to withstand them with all his might as long as he lived, and in so doing to defend each man his neighbour against every one: whatever was done to the meanest among them on this account was to be considered as affecting each and all of them in their own persons. On February 28, 1638, this agreement—of all which bear the name of Covenant the most famous—was read in the church of the Black Friars at Edinburgh from the original parchment on which the clerk had written it, and after the scruples which some few ventured to express had been easily set aside, was at once signed. The first who then and there appended his name was the Earl of Sutherland: a whole series of the most distinguished names in the country followed his: then the members for the counties and the gentry signed, and the day after, the citizens and the clergy. The document was spread out on a tombstone in the churchyard. Many are said to have opened a vein in order to sign it with their blood; others added to their names words which gave additional force to their signature. With the religious enthusiasm of those who signed—for in fact people thought that they were opposing an insuperable barrier to Popery, and were establishing for ever the prevailing faith—the feeling found vent that only in this way could they secure themselves against the hostility of the bishops and the strong arm of the King. But this was more important for the inhabitants of Edinburgh than for any one else. The original document was carried through the streets of the town attended by women and children who cheered and wept at the same time.

Every one still avoided mentioning the King's name with any feeling of hostility in these proceedings: they asserted on the contrary, that they were contending for God and for

the King. But who could have failed to perceive that the current of the agitation would be turned against the King himself, in proportion as he declared that the cause of the bishops was identical with his own? He had once more solemnly proclaimed the old policy of an alliance between hierarchical principles and the monarchy. But the Scottish petitioners, in a meeting which he declared to be treasonable, set before him demands which aimed at dividing the sceptre and the mitre for ever. They explicitly stated that the recal of both books would not content them: they demanded the withdrawal of the High Commission, the origin of which they said was illegal, on the ground that powers such as it possessed could only be conferred by the General Assembly and by Parliament. They demanded, not exactly the abrogation of the Articles of Perth, for they had been adopted in Parliament, but the abolition of the penalties annexed to their infringement, for which no such authority was found. They did not in so many terms desire the removal of bishops, but asked for the restoration of the restrictions under which they had formerly been appointed: they adhered to their demand that the bishops should be called to account for their transgression of the laws of the land, and that before the Presbyterian General Assembly, by virtue of the statute of 1610: they wished that this should be summoned yearly for the future: that the Church should be secured by statute of Parliament, so that no alteration affecting it should ever be introduced unless the General Assembly had been previously informed of it [1].

It was Henderson and Johnston who put these demands into shape, as well as the preceding: they were laid before the King almost as conditions of peace from which no abatement could be made.

Charles I was surprised, affected, and deeply mortified. What he had undertaken was nothing new, nor strictly speaking arbitrary. He felt himself free from any real inclination

[1] 'The least that can be asked to settle this Church and Kingdom in a solid and durable peace.' Rothes 97. According to Balfour ii. 252 these demands are referred to the date of March 1638.

towards Catholicism. All that he had set his heart on was the close union of Scotland with England, the removal of oppressive aristocratic privileges, and the strengthening and confirmation of the monarchy. His ordinances were but a fresh step along the path on which his father had entered. But downright crying acts of violence are not needed to call forth violent and general storms. What stirred men's feelings and provoked opposition on this occasion was the stronger pressure which the King thought himself entitled to use, but which the people and the great nobles feared would effect the completion of a detested system. Taking their stand on the ancient laws of the country, which they expounded in a popular and Presbyterian sense, the Scots set themselves with logical consistency to curtail the importance of the monarch. From defensive they passed to offensive measures. King Charles thought it almost mockery in them to set the new Covenant on a level with the old[1]: for although in both the duty of mutual defence had been set forth, yet in the old steps were to be taken under the lead of the King; in the new, on the contrary, they were directed against every one, without excepting even the King, and therefore under certain circumstances even against him: and he thought that the man who entered into such a League could be no good subject. The demands moreover which were laid before him at the same time, ran directly counter to the principles with which he started: they annihilated the power of inflicting punishment, which had hitherto been based upon the co-operation of royal with episcopal authority, and transferred it to the General Assembly, which at the same time retained an extremely strong lay element. This power of inflicting punishment however, combined with the interpretation of the laws, constitutes in a non-military state perhaps the most important attribute of the sovereign. The idea of divine right and power from

[1] The King in one of his declarations characterised the difference between the old and new Covenant: the old required 'that they should mutually assist one another, as they should be commanded by the King or any entrusted persons'; but the new bond, which he repudiated, 'was made without our consent, and by it they swear mutually to assist one another, not excepting the King.' St. P. O.

above to which Charles I adhered, was speedily and boldly met by another theory, which, although it did not reject monarchy, yet in substance undertook to build up the edifice of Church and State from beneath.

CHAPTER VII.

ATTEMPTS AT AN ACCOMMODATION. INDEPENDENT ASSEMBLY OF THE CHURCH.

KING Charles thought that the Scots wished to give him somewhat of the position of a Venetian Doge, but that he would not yet be reduced to the necessity of complying. He was confident that he still had a party of his own in Scotland.

The signature of the Scottish Covenant had run the natural course of a great political party movement. The universal bias of men's minds, the esteem in which a few great names were held, the insistence of active leaders, made up for any lack of conviction. A number of copies on parchment, to which were appended the most influential names, were set in circulation in the provinces: noblemen and important landed proprietors canvassed for the signature of their friends: certain objections were silenced by assurances of loyal intentions: here and there recourse was had to threats, and even to active measures against recalcitrants. Yet there were still many who refused to sign. They felt themselves repelled by the violent character and method of the proceeding, by the absence of higher authority, and by the comparison of Anglican with Popish institutions; or else they had some regard for the King: many indeed thought that Episcopalianism would still gain the upper hand. The learned school of Aberdeen called attention to a statute of 1585, which forbade all associations of which the King had not been previously informed. One at least among the great nobles, George Gordon, Marquess of Huntly, who had adopted the doctrines of the episcopal system at the court of James I, adhered

to the side of the crown in spite of all incentives to the contrary. He said that his house had always been connected with the royal family, and that it should stand or fall with it[1]. And though the Privy Council had at first promoted the movement by its connivance, it immediately withdrew it, as soon as it was perceived that the centre of gravity of ecclesiastical and political life was to be placed in the General Assemblies independently of the government: from that time most official persons severed themselves from the leaders of the nobility. They thought that they would be able to resist the anti-monarchical alliance which had been formed between the aristocracy and the popular and religious elements, and to defeat it, if only the King would show discretion at the right moment. They acted consistently with their original position in asking him to do away with the two books in which his system had reached its culminating point, and to modify the Court of High Commission: as for the rest they only wished that he should promise himself to take the grievances of the country into consideration, and so remove them in accordance with the laws. Traquair and his friends by no means wished for a General Assembly with such extensive powers as the Covenanters demanded: they had reached a point beyond which they did not mean to go.

Charles I at that time, to use an expression current even in England, had formed a Junta to deliberate on the affairs of Scotland. It consisted of Arundel, Cottington, the Secretaries Coke and Vane, and a few Scots of high rank, the Duke of Lennox, the Earl of Morton and the Marquess of Hamilton. Archbishop Laud was only now and then admitted to take part in it, for the embarrassment of affairs in Scotland had already entered on a stage in which principles at once episcopal and monarchical were no longer a safe guide. Even in this Junta the views of the Scottish statesmen asserted themselves: one of their number, the

[1] Report of James Gordon, in Napier, Montrose and the Covenanters i. 153. 'Some were threatened and beaten who durst refuse, especially in great citys, as likewise in other smaller towns: namely at Edinburgh, St. Andrews, Glasgow, Lanark.'

Marquess of Hamilton, was selected, and undertook to go to Scotland as Lord High Commissioner representing the King, and to make an attempt to compose the disturbances on the basis of concessions to be made by the King in accordance with the views of the Scottish Privy Council.

Hamilton had lived at the English court from his youth. Early in life he had married a niece of Buckingham, and, supported by this connexion, in consequence of which his wife filled an important office at court, had been brought into the closest relations with the royal family. The King bestowed on him his unreserved confidence. He had once been warned against Hamilton, who had an hereditary claim to the crown of Scotland: the effect of this warning was that, the very next time he saw him, he invited him to share the same sleeping apartment with himself on the following night. Hamilton had given no special attention to study, but he possessed natural gifts; a keen and solid understanding, sound judgment, and imperturbable calmness in discussion: his counsels had the greatest influence upon the King. In his political and even in his personal attitude, he as well as the King was dependent upon the change of circumstances. His mind had a natural tendency to conciliation and compromise, in consequence of which he had supported John Dury, who travelled about promoting with unwearied zeal the union of the Protestant confessions. Devoted to the King, popular with the Scots, averse from all extremes, he appeared to be the man best fitted to stem the further progress of the quarrel that was every day becoming more dangerous[1].

In May 1638 James Marquess of Hamilton set out for Scotland. The royal declaration seemed very well calculated to further his design. He communicated it privately in the first instance, in order to found his negotiations on it; and in the beginning of July he made it known publicly. In it the King reasserted in the strongest terms that he would adhere to Protestantism, and would not attempt to introduce any innovation in Church and State in Scotland; that he

[1] Burnet: Memoirs of the Dukes of Hamilton 409.

would no longer insist upon the reception of the Liturgy and of the Book of Canons; that he would bring the High Commission into harmony with the laws of Scotland, and would summon a General Assembly and a Parliament at his earliest convenience[1]. The Scottish government expressed its thanks to the King for his assurances, and the hope that his subjects would as was proper show themselves well satisfied with these concessions.

In fact these concessions corresponded to the original intentions which still prevailed in many quarters. Had the King's instructions appeared on the memorable 17th of October, things might have taken another turn. But they could not satisfy those who on that day had revived their complaint against the bishops with fresh vehemence, and had thereupon signed the Covenant. They observed that the two books and the High Commission were not actually abolished by the King's concessions, still less the Articles of Perth; that moreover no mention of their petition was made by the King; that no notice was taken of the guilt of the bishops, and that the time of summoning a General Assembly was left unsettled.

Hamilton offered the malcontents to call an Assembly and a Parliament at once, if they would renounce their Covenant and would deliver up the original document. But how was it likely that that condition should be secured? The zealous Scots declared that they would rather forswear their baptismal obligations than the Covenant, the best document that had been drawn up in Scotland since the fabulous days of Fergus. They affirmed that it was a mistake on the King's part to think that it threatened his authority. They said that they acknowledged that their weal depended on the weal of the King, who was set over them as God's vicegerent, to uphold religion and to administer justice.

In order to satisfy the religious zeal which was still coupled with loyalty to the King, the Scottish Council hit upon the plan of setting up in opposition to the Covenant of February

[1] 'Statuentes ex pio erga antiquum nostrum regnum affectu, ut omnia gratiose stabiliantur et instaurenter similiter adeo ac si nos in sacrosancta persona nostra ibidem adessemus.' Letters of Authorisation of May 20.

another which should emanate from the King himself. In this the clauses referring to the latest measures of the government and to the hostile feeling they had aroused, or implying the possibility of offering resistance to the King himself, were to be left out, but the anti-Catholic tone of the first was to be retained, and to be as prominent as ever. The Scottish statesmen affirmed that if the two books and the Articles of Perth were then recalled, the High Commission dissolved, and the General Assembly acknowledged, there was ground for entertaining not merely a hope but a confident expectation that general contentment would revive in the nation, and that all opposition would be put down at home: for that the movement in the nation had been caused by anxiety about innovations opposed to Protestantism, not by any feeling of disloyalty.

On the advice of the highest officials in Scotland and of his friend Hamilton, the King conceded all these points. He consented to the proposal for renewing the old Covenant of his father's time: he wished this to be signed at his own injunction, and a proclamation making new concessions was published in Edinburgh on the 20th of September[1]. The Privy Council expressed its agreement with this proclamation, which it characterised as the only thoroughly sufficient means of securing Church and State. They thought that the King's subjects should prove their gratitude to him by hearty obedience, and that whoever henceforth should venture to disturb the peace of the realm ought to be chastised with all severity. The old Covenant was signed by the members of the Privy Council, and was then transmitted to the King in proof of re-established harmony. Proclamation was made with his sanction that a free General Assembly should be held on the 21st of November following at Glasgow, and a Parliament at Edinburgh in the May of the next year.

And in the nation these measures were received with hearty approval in many quarters.

The provost, baillies and town council of Glasgow voted

[1] Articles of Advise offered to His Majesty, August 1638. They were signed by Hamilton himself, Traquair, Roxburgh and Southesk. Rushworth ii. 758.

the Lord High Commissioner an address of thanks for his exertions, with which the clergy expressed their concurrence in glowing terms. The University of Aberdeen had always condemned the Covenant of the Lords, because it had been entered into without the consent of the King. Its members signed the old Covenant without scruple; certain restrictions were attached it is true, but such as betrayed a leaning to episcopal government, and an aversion from the claims of the national assemblies of the Church. Of the fifteen Judges of Session who had been brought back again to Edinburgh by Hamilton's means, nine affixed their signature to the old Covenant. Even the Lord Advocate, who had at first assisted the opposition by his advice, now affirmed that the King's declaration was the greatest piece of good fortune which had befallen the Church of God since the Reformation.

And certainly from the point of view of religious controversy this appeared to be the case. The King's concessions only needed to be maintained and to be confirmed in the popular assemblies appointed to be held, in order to constitute a firm foundation for the freedom of the Church and for that of the State, which was closely connected with it. Charles I in these negotiations cannot be accused of obstinate adherence to a foregone system. He granted everything which the Scots had originally demanded.

This compliance however did not content them; and we cannot be very much surprised that it did not. It is ever the rule that when political parties are repelling an injury done them, peculiar tendencies of more general application grow up in them. The development of strength, which was necessary for obtaining some end, feels capable of asserting itself in a yet wider sphere. Individual positions, which the holders will not surrender, obligations to which those who undertook them will not prove false, contribute to the same result. In Scotland at that time, Lord Rothes, a man of easily excited popular and enterprising nature, found himself, to his infinite satisfaction, at the head of a powerful and constantly increasing party whose reverence he enjoyed. Lord Loudon, who had not long left the schools, felt a natural satisfaction at the scholastic element in the controversy, at

the opposition of ideas, and the subtle distinctions and syllogisms which it presented. The conflict which had been opened offered the widest scope to his ambition, which had been repressed by his feelings of loyalty[1]. Hamilton represented to these noblemen that, after the King had done so much for them, they also were bound to do something for him. He thought that he might arrange with them what should be brought forward and decided in the assemblies appointed to be held. He demanded from them, if they would not go so far as to sign the old Covenant, at least such a modification of the new Covenant as the King could accept. But they declared that they would thus be themselves condemning the oaths which they had taken, and induced others to take: they did not deny that it would have been desirable for them to have had the King's authorisations for those signatures and oaths; but they added that the less authority they had had, so much the less hypocrisy, and so much the more truthfulness and freedom there had been. Extensive alterations had followed from the acceptance of the Covenant: in the presbyteries the moderators appointed under the influence of the bishops had been again ejected: in an assembly of burghs the resolution had been taken to retain no magistrate who had not signed the new Covenant. They asked whether they were again to destroy what they themselves had founded, and to break up the alliance which made them powerful, and which gave them a better security than all the proclamations of the King? For his concessions appeared only to have been extorted by circumstances; they expected that when circumstances altered, they would again be withdrawn.

And, moreover, the Scottish Covenanters had not yet reached their ultimate aim. The design of abolishing episcopacy, of which they had always been accused, but which they had hitherto, perhaps with truth, disclaimed, was now become their conscious intention. The main reason of their protest against the King's proclamation was, that they might not appear pledged to maintain the institution of episcopacy.

[1] Narrative of proceedings, in Rothes 220.

They now applied their whole influence to prevent the signature of the royal Covenant.

It is worth noticing how completely aristocratic and religious interests were blended on this occasion. In counties in which the great lords were most powerful the Covenant of the King did not receive a single signature. A prophetess arose who declared this Covenant to be made by Satan, the people's Covenant to be given from Heaven: and her utterances found credit. The latter Covenant was indeed a logical result of the great commotion, and conducted to further extremes the enthusiasm out of which this commotion had arisen: the former was a resource taken up under the pressure of circumstances, and gained no confidence.

These influences had their effect on the elections to the General Assembly which now came on. The committee of the Covenanters which sat in Edinburgh exercised the greatest influence over them. Their instructions to the presbyteries are extant, in which they caution them to elect no one who had shared in the institution of bishops or in the proceedings of the High Commission, or had acquiesced in the imposition of the Liturgy: but on the other hand, to make provision in the proper place for the election of members of the nobility and gentry belonging to their party [1]; and generally to prepare carefully for the elections, in order that the votes might not be split up. Even before this time a dominant influence had often been exerted in the election of representatives, for instance, in France, in the constitution of the Assemblies of the League; but this was perhaps the first occasion on which popular elections had been conducted by a committee with such precise instructions. In the elections the adherents of the Covenant of the nobles were completely victorious

The Assembly of the Church which was opened on November 21, 1638, in St. Mungo's Cathedral, at Glasgow,

[1] Note on the private articles: Baillie i. 469. Guthrie's assertion goes somewhat further: 'For the ruling elders, as there was but one from each presbytery, so they enjoined that he should be a well-affected nobleman, and failing there a well-affected gentleman; whereby it came to pass that all the noblemen who were furious in the cause were elected either in one presbytery or in the other.' (p. 46.)

presented a very extraordinary spectacle. On the floor of the church the lords and gentlemen were seen sitting at a long table as the elected elders of the Church; but their spiritual capacity did not prevent them from wearing swords at their sides and daggers in their belts. Behind them on benches, which rose as in an amphitheatre, sat the preachers: separate galleries were erected for the public, for the nobility, and the commons.

Hamilton had hoped to sever the interests of the ministers from those of the lay elders, and to enlist the former body on the side of the King. This sight was enough to teach him how greatly he had deceived himself. He still thought that the elections most obnoxious to him, which had not unfrequently been conducted in a disorderly manner, might be set aside on a scrutiny. In fact, some elections were declared invalid: but these were only cases in which men not partisans of the Covenant had been chosen. The Assembly constituted itself entirely in accordance with the views of the Covenanters. Henderson was nominated moderator: Johnston who, as secretary of the Edinburgh Committee, had had the greatest share in conducting the elections, was nominated secretary of the Assembly.

Charles I had hoped that the General Assembly would be constituted according to the forms in use when it had last met under his father, when hardly anything had been heard of the lay elders. In that case it might have been expected that episcopacy would be maintained, even if it were made subject to the general representative body of the clergy. But without applying to him for permission, an elder had been elected to represent every presbytery, and that without regarding whether the elder so elected was resident in the presbytery or not. The leaders of the movement, who were the original promoters and subscribers of the Covenant rejected by the King, and declared by him irreconcilable with the duty of a subject, now confronted him as the most prominent members of an Assembly invested with undefined right.

Everything had been already prepared beforehand in the Assembly for taking the decisive step against the bishops. Just at the time of the elections it had been recommended

that proofs of their guilt should be collected, and preparations made for an abstract discussion on the nature of their office. The bishops now handed in a declinatory on their part also, in which they especially insisted on the point that an assembly composed for the most part of laymen, had no longer an ecclesiastical character, and by the ancient usages of the Church was incapable of sitting in judgment on bishops. But in the prevailing state of opinion, how could any regard be paid to this objection? The Moderator put the question to the Assembly, whether they did not consider themselves nevertheless as the legally-constituted tribunal for judging the bishops. The Lord Commissioner would have allowed judicial proceedings to be taken against the bishops, but only in a General Assembly summoned according to the forms usually adopted of late, not in this Assembly, against which he had protested from the beginning, and which every one knew to be contemplating the entire abolition of episcopacy. He thought that he could not await the issue of the voting. He once more explained why he was obliged to declare the composition as well as the claim of the Assembly to be illegal; and he then pronounced its dissolution in the name of the King. But the Assembly was now in a humour which mocked at the exercise of any authority on the part of the crown. Henderson said that the Lord Commissioner might uphold the prerogative of his master as much as he pleased; but that there was yet another prerogative, that of the Church of God, and the General Assembly must take care of this. He first put the question to the Assembly whether, in spite of the declaration which they had heard from the Commissioner, they thought of proceeding with their deliberations. Only some ten votes were given in the negative. Then he returned to his former question, whether the Assembly regarded itself as the tribunal which had jurisdiction over the bishops; and this was answered unanimously in the affirmative[1].

This took place in the seventh session of the Assembly, on November 28, 1638. On the 29th a proclamation from the King was read in the Market-place of Glasgow, by which all

[1] Documents in Rushworth ii. 342. Aiton, Life of Henderson 358.

further meetings of the members of the illegal Assembly were forbidden, and all resolutions which it might draw up were declared null and void. The Assembly made answer on the same spot by means of a protestation, in which they refused to allow this dissolution to take effect. One of their reasons was the necessity in which they found themselves of rejecting the Royal Covenant and of maintaining their own. The members of the Privy Council had all of them signed the King's proclamation: only one name was missing, that of Lord Lorne, now Earl of Argyle, one of those ambitious and capable men, who with sure instinct attach themselves to the power which is strongest. He had chosen this moment for passing over from the side of the royal Covenant to that of the Covenant of the nobles and the people.

Thus these elements, whose previous struggles had still left a hope of reconciliation, now opposed one another face to face in open and irreconcilable hostility.

The intention originally professed was only that of abolishing the arbitrary innovations of King Charles, and of returning to the ordinances which James I had carried out in the General Assemblies and Parliaments after his accession to the throne of England. But it had always been the opinion of the staunch presbyterians, who dated the decay of the Church from the rise of the royal influence, that even this course should be opposed: and the ruling thought of the Assembly at Glasgow was directed to the same end. Everything was there declared invalid, which had been enacted in the Assembly of Linlithgow in the year 1606 and in subsequent Assemblies. The two Books, the High Commission, and with them also the Articles of Perth were not merely rejected: it was declared a crime to have taken part in their composition or introduction. Episcopacy was not only abolished on the ground that it had no warrant in God's Word, but it was abjured. Upon the Bishops who had taken part in the ecclesiastical enactments of the last ten years, sentence of excommunication and deposition was pronounced; upon the others sentence of deposition alone. And how could bishops and lay elders even exist side by side? The former exhibit the authority of the Church as

hierarchical; the latter exhibit it as democratic in principle. The chief obstacle that prevented the Kings from establishing the authority of the bishops was in truth the independent origin of the Scottish national Church, and the correspondence which existed in consequence between its fundamental arrangements and this origin. The institution which they had wished to make the basis of their influence over the Church was now shattered and annihilated. The most important agencies affecting the state of affairs were involved in the opposition between the bishops who supported the crown, and the lay elders whose rights were bound up with the congregation and with the subordinate temporal authorities.

We shall not, I think, go too far if we consider the Scottish General Assembly at Glasgow, notwithstanding its original ecclesiastical purpose, as nevertheless affording at the same time a type of subsequent national assemblies which had a purely political aim. In the conflict of opposite tendencies a party has here grown up which enjoys general sympathy to a wide extent, and aims at effecting a thorough transformation of the whole condition of Church and State: the supreme authority is compelled by it to assent to the meeting of an assembly able to bring about this result: this party controls the elections, and by a definite organisation brings to pass a result wholly in accordance with its wish: its leaders themselves are thus invested with a public character: they obtain a position in which they proclaim their intentions as the desire and will of the nation, above all of the national Church, and are able to force them upon the sovereign, whose ecclesiastical authority they repudiate. The moment at which Henderson refused to dissolve the Assembly at the demand of the King's Commissary, however widely the circumstances may differ in other respects, may well be compared with the first steps by which, a century and a half later, the newly-created French National Assembly for the first time withstood the commands of its King. The Assembly of Glasgow held its sittings, carried on its deliberations, and drew up resolutions after it had been dissolved by the King, and its continued existence had been declared an act of treason. People realised quite well what this state of

things meant[1]. Into the world, already filled with various fermenting elements, another was introduced which, not only from its inherent nature, but from the method in which it asserted itself, had, both here in Scotland and everywhere else, a boundless prospect open before it.

[1] Cp. Laud to Strafford. Strafford Letters ii. 265.

BOOK VII.

CONNEXION BETWEEN THE TROUBLES IN SCOTLAND AND THOSE IN ENGLAND AND ELSEWHERE.

CHAPTER I.

CAMPAIGN OF CHARLES I AGAINST SCOTLAND.

SOME few score of years before these events, the Aragonese had rebelled against Philip II for reasons similar to those for which the Scots rebelled against Charles I. The pressure of the ecclesiastical and temporal rule as exercised by that sovereign had made the Aragonese anxious for their ancient liberties: the Inquisition was as much hated by them as the High Commission by the Scots; and a trivial circumstance had sufficed to cause the nobles, the hidalgos, and the towns to revolt in quick succession. But Philip II had arrayed against the Aragonese the power of his principal state of Castile, to the position of which they feared to be reduced, had recovered their obedience by force, had still more narrowly restricted their ancient liberties, and had established the royal authority more firmly than any of his predecessors had ever succeeded in doing.

The cause of the Scots involved yet more serious issues than that of the Aragonese. If the Aragonese had been victorious, they would only have revived within narrow territorial limits a representative Catholic constitution, according to the ideas of the middle ages. The Scots on the other hand repudiated everything which reminded them of the old hierarchy and its alliance with the crown: they laid claim on religious grounds to a political freedom such as had never yet existed in the world.

So much the more did Charles I believe himself entitled to put an end to this movement by force of arms. Even at the time when Hamilton first went to Scotland, and expressed his anxiety lest he should be met by protestations and

rebellious assemblies, the King had plainly said that in such a case he might collect troops and scatter the rebels. 'But,' rejoined Hamilton, 'what if there be not troops enough found in the country for this purpose.' 'Then,' answered the King, 'power shall come from England, and I myself will come in person with them, being resolved to hazard rather my life than to suffer the supreme authority to be contemned.' Hamilton had offered far more than the King originally intended, but, in spite of all his advances he had only awakened a more violent opposition. The letters in which he announces this result strike a chord of self-reproach, we might almost say of contrition, for he felt deeply that he had brought the King into an almost untenable position. On his return he expressed his conviction that the only course now open to the government was to crush the rebels by force of arms. It was intended that Scotland should be coerced by England, in the same way that Aragon had been coerced by Castile.

In the Privy Council and among the friends of King Charles this design was debated from various sides.

It was pointed out to him that a war between his subjects in the two countries, whatever the issue might be, could only bring loss to him who was King over both. And who, it was asked, could guarantee to him that England would bestow the assistance of which he stood in need? He would be conjuring up a storm which after such long years of peace would burst forth with all the greater violence. How much better under all circumstances was an agreement, more especially as mercy became a king.

In answer to this by the other side, it was said that the agreement must above all be such that the King should appear in it as master, and should assert his importance. Of all misfortunes which a sovereign could undergo, loss of authority was the worst; and the loss moreover was most severe, when he had intended to make an alteration, and had been compelled to withdraw it: the subject then became insolent, and the sovereign fell into the plight of being no longer master, but servant. What an unendurable position it would be to sit still and to go on making concessions to men actually engaged in rebellion. Even a serious war would be better

than such a peace: and if the King would surround himself with trusty counsellors, would place the nobles under an obligation to his cause, be gracious to the people, and then courageously take horse, everybody would follow his example[1].

Still further considerations, of a less general but of all the more urgent character, are stated in the letters exchanged between the two men to whom Charles I was accustomed to give most heed, Wentworth and Laud. They found the reason of the embarrassment which had arisen in Scotland, not in the King's design itself, but in the want of proper means for its execution. Wentworth said moreover, that if these rough spirits were able to carry out their disorderly designs against the honour of the King, the danger would be as great in England as in Scotland: that the peace of the three kingdoms depended on the course taken by this movement. Laud answers in similar terms. He adds, that if the King did not defeat the Scots, a second confusion would arise greater than the first, and that no one could see what this would bring with it in its train[2].

These two men were the principal supporters of the unparliamentary and hierarchical system which the King had undertaken to enforce. From the first moment they had felt the recoil of the Scottish movement upon both the other kingdoms: they saw that the whole system as well as themselves personally would be endangered by its progress: and they were of opinion that their whole strength must be exerted to put an end to it, cost what it may.

The assertion was advanced at this very time that an alliance between the Scottish and English nobles had preceded the disobedience of the former: that they had made an agreement in regular form to abolish the episcopal constitution, and to curtail the prerogative of the King[3].

[1] I have taken the description of these contending motives from an essay entitled, Révolte des Écossais (Biblioth. imp. at Paris, Melanges Harlay 218), with the inscription: 'fait deux mois après la révolte d'Écosse'—apparently from the pen of a French Catholic who was closely connected with the English Court.

[2] Strafford Letters ii. 250.

[3] John Spalding: Memorials of the trubles of England and Scotland, i. 77, gives a very detailed account. He knew of 'ane clandestine band drawn up and subscrivit secretly between the malcontents, or rather malignantis of Scotland and

But this is without doubt too strong a statement. The Scottish nobles were aware of the discontent of a powerful party in England which was excluded from the government. They may have reckoned upon it, but at this time no proof is found of a formal agreement.

What is recorded of the alliance between the religious parties in the two kingdoms with a view to common action has greater credibility. A Scottish clergyman, who had long resided in London and returned to Edinburgh in the year 1637, brought with him from the English Nonconformists the assurance that as soon as anything was done in Scotland something would be attempted in behalf of Presbyterianism in England also. And, in fact, after the outbreak of the disturbances in Edinburgh, Puritanism bestirred itself in London as well. In Cheapside, Lambeth, and on the doors of St. Paul's, placards were put up, in which complaint was made against the Archbishop of Canterbury for shedding the blood of the saints, and allowing Popish and Romanising tendencies to have free play. It is remarkable what a reaction at first arose in consequence. Archbishop Laud showed some courage in seizing that moment for establishing the supremacy of Anglican orthodoxy over Catholicism as well as over Puritanism. He had already long felt displeased at being sometimes hindered by the influence of the court, or of certain nobles, from enforcing the laws of the Church against Catholics as well as against Protestants. He made a bold effort to show the world that he was no Papist, and secured a decision in the Council that the old edicts against recusants should be revived and put in force. Catholic writings were again forbidden. Popish writers were treated with a severity similar to that which had hitherto been shown towards the Puritans. Laud himself had his old controversial writings against the

England, that eche one should concur and assist utheris, while they gat their willis both in church and policie, and to bring both kingdomes under a reformed religion, and to that effect to root out the bischopis of both kingdomes crop and root, quairby His Majesty should loiss ane of his trie estatis: and likevayes that they sould draw the King to dispenss with diverss pointis of his royall prerogative.'

A.D. 1637.

Jesuits reprinted. Proclamations appeared which, although more moderate in language than before, yet indicated afresh that spirit of hostility to the Papacy which had originally characterised the Anglican Church as well as other Protestant bodies. Charles himself fully concurred in these proceedings. Cuneo had once complained to him of the Archbishop, on the supposition that every order proceeded from his individual determination. The King answered that the other members of the Privy Council as well held the same opinion. Cuneo took the liberty of reminding him of the conditions of his marriage contract, by which he had assured the Catholics of protection and care. 'I shall never break these conditions,' replied the King, 'but with your permission I will show that I really belong to the religion which I profess. I know that the Pope wishes me to be other than I am[1].'

There is as little truth in the assumption, which has been often made, that the influence of Cuneo, and a tendency to Catholicism on his own part, had kept back the King from doing justice to the demands of the Scots. The King thought only of the supremacy of the Anglican Church: the regard paid to Scotland operated at first even to the prejudice of the Catholics, for the Archbishop wished above all to convince every one that he had no leanings towards them. But if the King and the Archbishop had hoped to calm men's feelings by this means, they were mistaken. The English Puritans, no less than the Scottish, considered the demonstrations of the rulers of the Church against Catholicism a mask which they would soon let fall again. They thought that if the King wished to keep the Puritans in England in subjection, he must first put down their fellow-believers in Scotland.

With the religious agitation in England moreover there was now connected another of a civil character, which had reference principally to the interpretation of the laws. Just during those months in which the revolt in Scotland was gaining consistency, the question about the legality of ship-money

[1] Cuneo, Dec. 18, 1637: 'Io non contraverro mai ad alcuna di queste conditioni che voi pretendete, ma con vostra buona licenza, io voglio mostrare essere di quella religione che professo. So che il papa mi vorebbe altrimente che sono.'

which, as has been mentioned, the King allowed to be raised, came on for discussion before the Judges of the Realm during the term of their regular session, from the autumn of 1637 to the summer of 1638. Who does not know the passionate interest which is wont to attend proceedings of the higher courts of justice when they bear on unsettled political questions? This was strengthened by the compulsory exaction of the tax which went on simultaneously with the discussion of the point at issue. The Judges, who declared themselves in favour of the legality of the tax, incurred hatred and obloquy. But there were two of them, Crooke and Hutton, who pronounced against it. Their arguments agreed with the assumptions made by public opinion. They affirmed that the right to which the crown laid claim belonged to it only in very exceptional cases, and then only with the reserve of the subsequent consent of Parliament; but that in the present case such an extraordinary necessity had not arisen, and Parliament had now for some years not been summoned. The two judges contested the precedents adduced by the other party in favour of its own view: they looked upon the question as a simple controversy between legal justice and authority; and they threw themselves without reserve on the side of the former.

This however was no reason why the sentence of the majority of the judges may not have been consistent with former ordinances. The refusals of payment were condemned as illegal; but nevertheless the proofs alleged by the two dissentients had made an indescribable impression [1].

The government did not allow itself to be driven from its course in either of the affairs in which it was engaged. It both kept down the English Puritans, and continued to collect the tax to which exception was taken. But opposition and agitation increased daily in the country. The Scots stirred up this feeling with various pamphlets. They sought to make the English conscious that the cause of both countries was

[1] G. Giustiniano, Oct. 1: 'Avanzate le loro istanze nel pretendere che anche in questo regno si chiami il parlamento per unitamente dare la miglior forma al governo.'

A.D. 1638.

the same. And their example itself produced a still greater effect. From time to time anxiety was felt lest the Scottish uprising should spread over England [1].

While already, apart from other considerations, there was much to be said for the necessity of contending against the rising in Scotland in open war, it was also seen that the same course was necessary for the preservation of order in England. Hamilton, the mediator of peace, who had returned from Scotland after failing in his attempt, the Lord Deputy of Ireland, and the Primate of the English Church united their voices in favour of war. Without doubt their counsels were what determined the King.

But it is also clear that no one could think of claiming the help of the English Parliament in the conduct of this war, however important it might have been under other circumstances. The King indignantly rejected the advice to summon a Parliament; for what could he have found in that body but a combination of Puritans and men who had refused to pay ship-money, with those who supported on principle the rights and claims of Parliament? His intention was to carry on the war upon the strength of the prerogative of the crown with those forces which his income, that had just now been increased, as well as the voluntary offerings of the friends of his system should supply.

And his position in general depended upon his success in this undertaking. If the enterprise against Scotland prospered, the validity of the prerogative in England also was for ever established. The King's hierarchical and monarchical system of government would have acquired double force through a victory won by his own strength. Thus in former times Philip II had first become completely master of his own kingdom by his victory over the Aragonese.

Charles I was not without a prospect of a like success.

Large sums were brought in by those contributions which the most eminent members of the English clergy, especially

[1] As early as September 1637 the Venetian ambassador speaks of the 'pericolo evidente che s'estenda la sollevatione anche per questo regno, dove i popoli non meno che gli Scocesi avidi si mostrano dell' occasione di sottrarsi al giogo a cui poco a poco si sono universalmente piegati.'

the bishops, agreed to make: for not only was the cause of the King in substance their own, but they wished besides to distinguish themselves by giving proof of loyalty. At the special request of the Queen the Catholics, who were again relieved from the burden of those oppressive measures lately mentioned, gave something, though not indeed very much, nor very willingly; for though they wished to acquire the favour of the King, on whom their very existence depended, they yet feared the vengeance of the enemy in case of a reaction. Among the high nobility also the King and his cause had some ardent adherents of both sexes who made large contributions.

Those feelings of personal dependence on the hereditary sovereign, which were the cement that bound together states of Germanic and Latin origin, were on the whole not yet extinguished in England. On the King's declaration that he would display his standard in the spring at York, many gave in their names as volunteers. The gentry in the northern counties especially showed zeal and devotion. The militia was everywhere put under arms. In April we find an army of about 20,000 men, horse and foot, assembled around the King.

The army was not intended strictly speaking to invade Scotland. The plan, in the formation of which as in other matters the Marquess of Hamilton had great influence, contemplated only measures of coercion against the Covenanters. And as their principal strength was thought to lie in the town-populations, and the towns lived principally by trade, especially by trade with Holland, he had taken up the opinion that they would be compelled to submit, if they were cut off from this commerce. He went himself with an English squadron to the Frith of Forth in order to carry out this measure. The land-army was intended only to make a demonstration in his support, and above all to secure the Border against an incursion which the Scots might otherwise feel tempted to make.

Another design was entertained, which is worth mentioning, although it was not carried into effect. A couple of thousand experienced troops, made up of cavalry and infantry, especially arquebusiers, were to be transferred from the Spanish to the

English service; and the Spaniards were to be allowed in return to enlist a corresponding number in the British dominions. These were to be conveyed to Scotland in Flemish ships, but at the cost of the English, and to be stationed in Edinburgh Castle either by amicable means or by force. From this point they were to be put into communication with the royalists in the northern counties, especially with Huntly, and with the town of Aberdeen. The power of the King would have become so strong in Scotland itself, that, under the influence of coercive measures adopted simultaneously by sea and land, the Covenanters in the capital and in the southern counties might well have been expected to consent to such an agreement as the King desired [1].

The prospect of a very widely extended alliance between various elements of strength had thus been opened: but to secure their co-operation, which was naturally difficult to bring about, diplomatic negotiations of the most prolix character with the courts of Brussels and Madrid were also necessary. While the King was still engaged upon them the Scots on their side were already making preparations for resistance.

But if success depended upon bringing over experienced troops from the Continent to Great Britain, this was far easier for the Scots than for the English. We have already mentioned in what numbers the Scots served under the Swedish flag in Germany [2]. If the Protestant cause which they defended in Germany were now to be fought for and carried through in their own native country, how could they hesitate to return thither? The heads of their families, for whom they still cherished an inborn attachment, now themselves summoned them home.

Among the Scots in the Swedish service Alexander Lesley had acquired a very distinguished position. He commanded the first troops which Gustavus Adolphus threw into Germany: he it was who, by crossing to occupy Rügen from Stralsund,

[1] Compare 'A design to extricate His Majesty out of these present troubles with the Scots,' in Clarendon Papers ii.

[2] Chemnitz, Schwedischer Krieg i. 43.

had opened the Swedish war in Germany[1]. In the school of Gustavus Adolphus he learned to exercise the command-in-chief of an army in troublous circumstances. Chancellor Oxenstierna, who made him a field-marshal, afterwards employed him in the most difficult political and military enterprises. His exertions in the years 1635 and 1636 had almost the greatest share in establishing the Swedish supremacy in Western Pomerania. Even in Germany however he had been deeply affected by the disagreements between Scotland and England. The views of King Charles, which were at that time represented by Hamilton, when he appeared with the King of Sweden in order to bring about the restoration of the Palatinate, were distasteful to the Scottish troops: they wished to see their King a decided enemy of Spain and Austria. The Field-Marshal might consider that he was merely executing a flank-movement in the great war if he went to Scotland and assumed the chief command of his countrymen, who now opposed the doubtful policy of their King, and undertook to maintain their religious and political independence against him. He had moreover a special inducement for going, because Lord Rothes, the head of the Lesleys, was the foremost leader of the movement. People had at first thought that the plain-looking man of mean origin and small stature, with a lame foot and already advanced in years, would secure little consideration among the proud and magnificent nobles. But what is more irresistible in the world than military experience, and more captivating than fame for generalship? Everything was swayed by his counsels. Following his example others also gave up far more lucrative and important positions in the German War in order to serve their country, so that a staff of captains and under-officers was soon formed who rendered the greatest service in training troops[2]. From their fellow-believers in

[1] The pass given to Lesley by Charles I extends over a year (May 1637–38). In a Venetian report of April 1638 it is stated that Lesley had taken leave of the King in order to go to Scotland and from thence to Pomerania into the Swedish service. In that case Rothes must have induced him to remain behind.

[2] 'To help their bested mother church and country, they have deserted their charges abroad to their great loss, which they knew she was never able to make up.' Baillie, Sept. 1639, i. 223.

Holland the Scots obtained munitions, and even some pieces of ordnance.

It was important for the Scots in the first place to guard against, or to render impossible, any hostile attempt on the part of England. Under Lesley's guidance they turned their arms against the Castle of Edinburgh: the gate was blown open with a petard. Dalkeith and Dumbarton were taken possession of in like manner: the intended enlistment of Spanish troops was still far from being effected, when the royalists in the north of Scotland were compelled to submit, Huntly was taken prisoner in violation of a promise made to him, and was brought to Edinburgh.

Meanwhile, at the beginning of May, Hamilton appeared with his squadron in the Frith. Beacons upon the neighbouring heights proclaimed his approach to the country, and the whole people hastened in arms to both shores in order to prevent his landing. It is not clear whether he seriously intended to land. He contented himself at present with occupying the small islands of Inch-Keith and Inch-Colm, and of there stopping the Scottish vessels that were passing by. He did not let them go until the crews swore to him that they would stand by the King.

But the royal army also, under the command of the Earl of Arundel, had already arrived at the border. With a force the strength of which is rated at 20,000 men, and which was superior, at least in infantry, to that of the King Lesley advanced to meet him: he set up his camp at Dunse Hill immediately under the eyes of the King.

After the example of Gustavus Adolphus and Bernard of Weimar, Alexander Lesley also took pains that the aspect of the camp should correspond to the religious motives of the expedition, and nowhere could men's feelings have been better prepared beforehand for such a proceeding than in Scotland. The soldiers were heard singing psalms or reading the Scriptures in their tents: the ministers were girded with swords or carried carbines: the more fiery their discourse, the more devoutly they were listened to. But whilst the Scots were opposing their King under arms, they did not wish to wear the appearance of being at war with him.

They sometimes gave him a cheer: on the flags were to be read the words 'For God, the King, and the Covenant.' They did not wish to fight against the King, but against the bishops, by whom he was thought to be misled: they would not let their influence, so ruinous to Church and State, rise again, at least in Scotland.

How entirely different was the appearance which the English camp presented!

It was not merely that but few of the leaders had ever seen war: the soldiers were unaccustomed to strict discipline, and did not render to their officers that punctual obedience which military service requires. The Scottish soldier had few wants[1]; sufficient supplies had been provided from the capital: the English soldier had many wants; but the delivery of supplies was irregular. When the King showed himself they even cried out for bread. No trace was to be found among them of the military spirit of the time; and how should the episcopal system have been capable of calling out a religious zeal corresponding to the Puritan enthusiasm?

Charles I moreover had not been able to assemble, even for a military expedition, so many men of importance without bringing to light the political opposition with which he had to struggle. The Lords of the Opposition had not appeared with the arms and followers which they had been expected to bring. The King sought to assure himself of their obedience by means of an oath, in which they were to vow to serve obediently against all seditious combinations, even if they were formed under pretence of religion. Lords Brooke and Say and Sele refused to take this oath. The King, who when in the field demanded the absolute submission of his vassals, had them arrested; but on this a general disturbance arose in the camp. Their friends took the ground that the King had no right at all to demand a new oath, which had not been approved beforehand by Parliament. The rest of the lords went to the Earl of Arundel with a request that he

[1] 'They are a people that can live of nothing, and we that can want nothing.' Countess of Westmoreland to Windebank: Hardwicke Papers ii. 129.

would put himself at their head in order to represent this to the King[1]. Arundel called their attention to the danger which would thus arise to the King's service, and promised them redress for their grievances. Legal authorities in London gave it as their opinion that the prosecution against the two lords could not be proceeded with. They were accordingly, after some days, set at liberty again.

Thus much at least was by this means made plain to every one,—that there could be no thought of an unanimous and decisive prosecution of the war in favour of the King's prerogative, as connected with the authority of the bishops. The state of religious opinion shook the loyalty of obedience. The views of the Scots had penetrated even among those who were to have fought against them.

The Scots also on their part had reasons for not driving matters to extremities. An open conflict with the King would have fanned into bright flame the opposition in the North, which had hardly been quelled, and which was already stirring again, so that it would have been necessary to detach a military force to that quarter; and, as has been mentioned, such a conflict was no part of their original intention.

Hamilton had not long been stationed in the Frith when some of the leading Covenanters presented themselves for a conference with him, in which they offered to pay every kind of civil obedience to their sovereign, provided that they could obtain satisfaction as to their ecclesiastical institutions[2]. Hamilton applied to the King in reference to these proposals, and as from the beginning Charles had not intended to subdue the Scots by force, but only by taking arms to compel them to show greater compliance in negotiation, he now acceded to their proposals, On a further application, and on the appearance of symptoms of returning

[1] Depêche de Bellièvre, 12 Mai: 'Les seigneurs qui étoient à York s'étoient déjà assemblés pour voir ce qu'il il y auroit à faire en ce rencontre, et avoient été à trouver le comte d'Arundel, qui est le premier, pour porter la parole.'

[2] Sir Henry Devick's account of this conference in Burnet, Dukes of Hamilton 133. Although it there appears to have taken place later than the application to the King, yet it must have preceded it. The application was made in consequence of the conference.

obedience in the army encamped over against him, he issued a safe conduct to his own camp for the four deputies whom the Scots appointed, that they might lay their demands before a commission nominated by himself.

The two armies had advanced into the field to meet one another, and lay encamped against one another in open hostility; but in temper they were not altogether opposed. In the one, obedience to the King had not yet been entirely thrown off: in the other it still reigned, but no longer in full strength. How then could men on both sides not hesitate before they caused fresh bloodshed between two nations of common descent, who had been closely connected together for the last century? Instead of fighting they began to negotiate. We must now turn our attention, not to deeds of war, but to arguments and counterarguments advanced before an assembled council.

The royal commission was composed of men of very different views. With Arundel, in whose tent the meetings were held, sat Essex and Holland: among the Scots were seen some of the former champions of the movement, Rothes and Loudon. The negotiations began on June 11. Hardly had Arundel formally opened the conference when the King appeared in order to conduct his cause in person, for he could not let it be said of him that he was unwilling to listen to his subjects.

The Scots affirmed that their proceedings were in accordance with the acknowledged and written laws of the country. The King denied this: for how indeed could it be said that the last Assembly at Glasgow had been elected or held according to legal forms? In consequence of this he was also unable to regard their decisions as legal or to ratify them. He assured them that he had no intention of altering anything in the matter of religion or law which had been laid down by sovereign authority: but if he said one thing and they another, who, he asked, was to judge between them: who was to fix the sense of the laws?

This in fact was the question at issue. He had intended to decide it in his own favour by superiority of arms, and to break down the political and military opposition in which

the Scots had engaged. As he had not succeeded in doing this, while at the same time matters had not gone so far as to compel him to an absolute surrender—for at all events he had achieved one object, and had in the first place secured England against an invasion of the Scots, which had been feared—no final accommodation could be expected.

The Scots declared in writing that their wishes were only directed to the maintenance of religion and liberty in accordance with the ecclesiastical and political laws of the country: that they would never desire anything which was not laid down in these; and that they were ready as loyal subjects to obey the King. Charles I replied, that if such were their wishes, they were also his own.

A movement towards an approximation now took place, in which however each side reserved to itself its own views as to what the laws really contained.

The agreement which was arrived at after some days (June 17), the so-called Pacification of Berwick, arranged that the Scottish army should be disbanded, the English fleet withdrawn from the Frith, the King's castles with their ammunition restored to him, and that any vessels that had been detained should be returned to the Scots[1]. The King consented that in the following August first a free General Assembly, and immediately afterwards a Parliament also, should be held; that they should henceforward be regularly summoned, and that the one should have the decision of ecclesiastical, the other that of temporal affairs. He did not however consent to acknowledge the last Assembly at Glasgow as legal, from considerations, as was said in the proclamation, which were imposed upon him by the sovereign power which had descended to him from his ancestors. What were these considerations? Even if Charles I allowed everything which he or his father had lately introduced to be swept away, yet he would not permit that any part of it should be declared illegal or papistical. He would not allow the reproach of having ordained anything illegal to fall either on himself or on his father. He assented to

[1] Pacification of Berwick. Hardwicke Papers ii. 241.

the most important enactments of the Assembly at Glasgow; he assented provisionally even to the abolition of episcopacy; but he held to the view that the Assembly had been illegally summoned, and was illegal: that which might be reaffirmed in a new assembly approved by him, and that only, would he then ratify. In other matters also he clung with similar inflexibility to his conception of the supreme power which must remain in his hands. He was ready to allow periodical ecclesiastical and temporal assemblies to meet. His commissary was to be instructed to proclaim the meeting of such an assembly again within a year; but it appeared to him insufferable that he should be pledged to do this for all future time. If he allowed that his veto should not be exercised with regard to their next proceedings, he was yet resolved not to allow himself to be robbed of this veto for ever. But these are just the most important questions which arise as to parliamentary or representative forms of government. How could it be expected that the strong opposition between royal authority and the independence of parliamentary and ecclesiastical assemblies which was implied in these questions, and which had deep root in Scotland especially, should so easily be brought to a settlement without a real and strenuous conflict.

The news of the Pacification of Berwick was received with great satisfaction, especially in the Protestant world. That the Scots had not been overpowered appeared of itself to be an advantage; but it was thought moreover that King Charles would desire to give employment to the Scots in order to keep them obedient; and where else could that employment be found but in the German war? It is affirmed that Lesley offered him to lead his troops immediately to the Continent for the reconquest of the Palatinate; that he did not require the King to bear any other cost but that of their transport; for Lesley intended to maintain his Scots in Germany as Mansfeld and Wallenstein had maintained their troops[1]. King Charles is said to have entered for a moment into this plan. The rejection of his last overtures

[1] Giustiniano July 1–8, 1639.

by Austria appeared to justify it, and no doubt all his affairs might, had he accepted the proposal, have assumed a different aspect. But so bold and reckless an enterprise was repugnant to his character. After some reflection he put it aside. Apart from his fears of strengthening his opponents at home, his relations with France and Spain were not in such a condition that he could throw his weight decisively into the scale.

CHAPTER II.

RELATIONS OF THE ENGLISH COURT WITH THE COURT AND POLICY OF FRANCE.

LET us now once more direct our close attention to the relations between England and France, which at that time, as they had almost always done, determined the general course of European policy.

In July 1637 the two powers, between which, notwithstanding the above-mentioned objections on the part of Wentworth, negotiations had always been going on, came to an agreement about the articles of an alliance for mutual assistance, which opened a wide prospect for the general relations of Europe, especially with regard to Germany [1].

By this agreement they combined in proposing to restore the Estates of the German Empire, which had been overpowered by the house of Austria, and especially the Palatine house, to those possessions and rights which they had enjoyed before the war. The King of England pledged himself that he would not permit either money or the necessaries of war to be supplied in future to the Austro-Spanish house, but on the contrary, that he would equip a fleet which should entirely prevent any transport of the kind: that he would never again allow the Spaniards to enlist soldiers in his dominions, but that he would give this permission to the French. In return the King of France promised not to conclude peace either with the German or with the Spanish line of the house of Austria without the consent of the King of England, and

[1] Traité auxiliaire (hitherto, so far as I am aware, unknown). A copy is found in the despatches of Seneterre, Bibl. Nat. at Paris, Harl. 223/21: the revised original draught in the Archives of the Ministry of Foreign Affairs, Angleterre 47.

above all not to do so unless the complete restoration of the Palatinate had been obtained. In order to achieve this end, their allies, Holland and Sweden, were to be invited, in common with the two Kings, to lay before the house of Austria and the Duke of Bavaria conditions for a general agreement, and were to enforce these by arms if they were not accepted within a month. The two Kings were then to sanction any kind of enterprise on the part of their subjects against the possessions of the crown of Spain in America, in the East Indies, or in Europe: they were to cut off the communications of Spain with the distant parts of the world, as well as with Flanders and Germany; and they were to settle beforehand how to deal with the conquests which they hoped to make in the Spanish Netherlands.

On the last point negotiations had not yet led to any agreement. Charles I had demanded that if Dunkirk, or other places in the Netherlands, were conquered, they should then be handed over as a pledge to his nephews, the Princes Palatine. The French, on the contrary, adhered to their intention of erecting in the conquered Netherlands either a Catholic republic, or a government under the common sovereignty of the allies, like the bailiwicks in Switzerland. In the further progress of the negotiations Charles I expressed himself at last not disinclined to assent to a government in the form of a common sovereignty. All points in the agreement were to be again deliberated on in a congress of the powers at Hamburg, and to be there brought to a settlement.

Thus matters were settled after long negotiation. When we read the articles it is hard not to believe that a powerful joint effort for restoring the former condition of affairs was to be made without delay.

A closer consideration of the circumstances however shows beforehand that on neither side was there a decided intention of making such an effort.

The French were convinced that Charles I wished for the continuance of the war between France and Spain in order that meanwhile he might revive his naval power, recover his lost reputation, and enrich his country; but that he was so fettered by the profitable relation which he secretly maintained with

the Spaniards that he would never proceed boldly to fight for the interests of the Palatinate: that, if he now seemed inclined for an agreement with France, he was only trying to induce the house of Austria by arousing anxiety as to his alliance, to make some trivial concessions to his nephews with which he would be content. The obligation of keeping up a fleet on the coasts, which Charles undertook by the treaty, was considered by the French far too contemptible considering the greatness of the cause which the two powers upheld.

Why then, we may ask, did the circumspect Cardinal Richelieu consent to this alliance? His anxieties were the reason for his conduct: he wished to keep King Charles from allying himself more closely with the house of Austria. He put off the definitive conclusion of the treaty until the conference at Hamburg, because he foresaw that it would encounter obstacles there and be delayed. In the summer of 1637 the articles had been laid down: in the autumn of 1637 Richelieu gave to Bellièvre, the President of the Parliament, who went as ambassador to England, instructions not indeed to conclude anything, for this was far from his intention, but only to keep Charles I in the belief that France wished for the conclusion of the treaty, and that she would promote it at Hamburg. Meanwhile he was to induce that sovereign to throw more obstacles in the way of intercourse between Spain and the Netherlands[1]. In February 1638 the Council of State, which worked under Richelieu's directions, once more considered the treaty. Father Joseph, who sat in this council, proposed to insert the condition that the King of England should employ his ships not only for the protection of his own coasts, but for the attack of the coasts of the Spanish Netherlands, or of the Spanish peninsula[2]. The other members agreed, but went a step further still: they demanded that a joint attack should be made upon some place or other in the Netherlands, to be more

[1] 'De tenir ce prince dans la créance que le roi desire l'avancement et la conclusion de la traité et que la conférence de Hambourg se fasse le plustôt.'

[2] Mémoires du Père Joseph. Ruel, 7 Fevr. 'Il faut que toute cette flotte ou une partie d'icelle serve à attaquer les places dans la coste d'Espagne ou de Flandres: selon que le roi de la Grande-Bretagne sera requis par le commun advis des alliés.' Archives des affaires étrangères.

precisely determined by and by: they thought that it was in the highest degree unjust that England should not support the French, and yet should wish to prevent them from conquering Dunkirk for instance. They thought, moreover, that any share in governing the conquered territory after the fashion of the Swiss bailiwicks could be allowed to England only if that power itself took an active share in the conquest. But however much stress the French laid upon this co-operation, they nevertheless also thought right not to break off negotiations, if Charles I should still be inclined again to defer his answer.

But if we ask what views Charles I really cherished, it is plain that he would never have consented to engage in direct hostilities against the strong places in the Netherlands. He might possibly have allowed an attack to be made by the Dutch and French, supposing that he were to have a share in the government of the conquered places, but he would never have taken part in such an attack. In the summer of 1637, whilst he was acceding to the preliminary stipulations with France, the Spaniards made advances to him on the other side, and, to say the least, he did not reject their overtures. He treated the Spanish court at all times with the greatest respect. In 1638 the Elector Palatine had been placed in a position to appear in some force in Westphalia: the King of England had assurances given to the Spaniards that this was not his doing, although on the other hand he was not opposed to it; but that he looked upon it as an exclusively German affair, which had no reference to the Spanish crown. He assured them that his wishes were only directed to the restoration of general peace in Christendom, in which every one should again enjoy his own.

Cardinal Richelieu may have been quite right in his opinion that the main object of the King of England in his stipulations with France was to compel the Spaniards to show greater compliance in the affair of the Palatinate than had been displayed at the time of Arundel's mission[1]. But that

[1] Windebank to the King, Sept. 1638: 'The Conde Duke, while that whip was over him, beginning to be better natured.' See Clarendon Papers ii. 13, for the effect produced by the siege of Funeterrara.

however was not the only reason why the projected agreement could not be executed. During the negotiations of the allies as to the agreement on proposals to be made to the house of Austria, England, as it had intimated to the Spaniards, expressed the opinion that each one ought to have his own, and therefore that not only the Palatinate, but everything else which had been taken from its rightful owner, must be given up. Cardinal Richelieu was agitated by this proposal, for he thought that the house of Austria might well accede to it, but that it was impossible for France and for Sweden to do so; and that the consequence of the negotiations would be that they would lose England as their ally, whom they had hoped to gain [1].

The negotiations underwent fluctuations which were often of a petty character. Neither side was altogether in earnest in them: but notwithstanding these uncertainties and the momentary complications which crossed them, the great interests at stake and the opposition between them came under discussion. The opposition arose from the dislike of Charles I to allow either the acquisition of Lorraine by France or the exclusive occupation of the strongholds in the Netherlands by the arms of France and Holland, without any advantage or participation on his part, and his equal dislike to the establishment of the Swedes in Pomerania. His wishes and, in regard to the Palatinate, his interests also were engaged in bringing about the restoration of the old distribution of territory in the German empire, not merely however with reference to the Princes and the estates which had been injured by Austria and Bavaria, but with reference to those also which had suffered from Sweden and France. This was a scheme which even at the present day might awaken a certain feeling of sympathy for King Charles, especially in Germany: had it been carried out, the maintenance of the balance of power in

[1] This is the tenor of the words dictated by the Cardinal to his secreta Cherré St. Quentin, Oct. 23, 1638. 'Les Anglois qui ne songent qu'à avoir leur compte estimeront juste la restitution de Lorraine et même celle de la Pomeranie, pourvu qu'on leur rende le palatinat: nous nous mocquerons d'une telle proposition et ainsi au lieu d'avoir gagné les Anglois par le traité, que nous commencions à cette fin, nous les perdrons en effet.'

Europe would still have been possible. But for that object far other efforts would have been needed than those which he could make, and far other resources than those which he could wield, but above all an energetic and always decided policy. The first result was that even the suggestion of those ideas in France, where the very designs were entertained which he wished to defeat, made the conclusion of the projected treaty impossible.

The political difference was aggravated by personal misunderstandings springing from those divisions which at that time were agitating the court and kingdom of France. It is indispensable in this place to bestow a word upon them.

The marriage of Charles I with a French princess had been desired on the part of the English in the year 1624, because they thought by this means to find support against other enemies: for the Queen-mother Mary de' Medici, in concert with Cardinal Richelieu, still ruled at the French court, and there was every appearance that her dominion was likely long to endure. She herself had promoted the alliance because she wished to see her daughters the consorts of the neighbouring sovereigns of Spain, Piedmont, and England: she thought by this means to acquire a personal influence in all the important affairs of Europe.

But then followed an epoch in which the interests of the dynasty began to be thrown into the background by the interests of the state. While Mary de' Medici sought to maintain the former in her dealings with Spain, and to be just to that country, in spite of all other disputed questions, she fell out with Richelieu, who supported the principle of the power of the sovereign, to which he wished to give effect in France, by the principle of the exclusive ascendancy of that country abroad, in favour of which he enlisted the sympathies of Louis XIII. The mother of the King was obliged to give way to his minister. The 'Day of Dupes,' though it appeared like an act of a comedy, was nevertheless a great event both for France herself, and for all her relations with other countries.

The quarrels between the Queen-mother and the Cardinal, her subsequent flight, and her attempt to return in conjunction

with her second son and a strong native party, but at the same time with foreign aid as well, reacted upon those countries in the west and south, with whose reigning families she was allied, and on which she sought to support herself. Her daughters—who could wonder at it?—took part with their mother.

The English court had scarcely attained a certain measure of domestic repose, when it was acted upon by these divisions of the French court, and even drawn into them.

In the year 1629 the Marquess of Chateauneuf was ambassador-extraordinary at the English court. In public he attached himself to the policy of Richelieu, to whom he owed his advancement; and he sought to bring about an union between France and England against the house of Austria. He gave satisfaction to the Cardinal in the conduct of affairs, so that after the fall of Marillac the great seal was entrusted to him. But, as is mentioned in the instructions to the next French ambassador, Poigny, Chateauneuf at that time was already secretly labouring to poison the mind of the English Queen against the Cardinal[1]. He had succeeded in acquiring the confidence of Henrietta Maria: it was also affirmed that he had formed a connexion with the Chevalier Jars who stood, through the medium of a lady of the bedchamber, high in her favour, and that Henrietta had been estranged from the French policy of the time and from the Cardinal. But how much easier must it have become to produce an effect of this kind after the scenes at the Luxemburg and the flight from Compiègne? Chateauneuf carried on a correspondence which, being sometimes intercepted, revealed his unbounded ambition.

Chateauneuf at that time stood in intimate relation with the notorious, perhaps still beautiful, certainly seductive and ever excitable Madame de Chevreuse. We cannot say whether she, like many other French ladies of that time, formed connexions from inclination uncontrolled by any regard to prudence, or from policy directed to very different ends.

[1] Instruction au Marquis de Poigny 1634: 'Le Chevalier de Jars lequel s'étant joint avec le Sr. de Chateauneuf lorsqu'il fut ambassadeur extraordinaire en Angleterre, fit entendre beaucoup de choses à la dite reine.'

As Marie de Rohan she had already a very important position in the world, through her descent from a family related to the house of Bourbon, and itself among the most distinguished in France. Owing to the influence of her first husband, the Constable Luynes, the favourite of Louis XIII, she was appointed Mistress of the Household to the young queen Anne, whose favour she completely won as she cheered her otherwise melancholy days. After the early death of the Constable she married, while still quite young, the Duke of Chevreuse, son of the greatest of the antagonists of Henry IV, that Henry of Guise who was murdered at Blois. She thus became a member of the house of Lorraine, which at that time was endangered by Richelieu's policy, and formed the centre of the European political combinations which countermined him. It was the chief ambition of the Duchess of Chevreuse to oppose the Cardinal, just because he was so powerful and was daily becoming more so, and because he imposed upon each and every one his own will as law. Her rank, her position, her connexions, her personal charms, resistless to the young and even to older men, gave her a variety of constantly fresh means of fomenting this opposition. She had already had the principal share in the conspiracy of Ornano: the unfortunate Chalais fell a victim to her; for no one could approach her without suffering for the connexion. At that time the Keeper of the Great Seal had the highest place in her regard, a man of adroitness and of great attainment, of industry and ability, who seemed well fitted to become the successor of the Cardinal, if he should once be overthrown. Richelieu accuses him of having betrayed to the lady the decisions of the Council, which had been directed against Lorraine. And as the Duchess of Chevreuse also had relations with the Queen of England, whom she had known from her youth, these machinations extended even across the Channel[1]. The attention of Richelieu was called by people in England to the efforts made to overthrow him, and to put Chateauneuf in his

[1] Mémoire de M. le Cardinal contre M. de Chateauneuf: one of the most acceptable pieces of information in Cousin's Madame de Chevreuse, of the date of February 1633: Appendice No. 8, p. 235.

place. Queen Henrietta was said to have given out 'that Chateauneuf, who was her friend, and had no share in the pernicious designs of the Cardinal, would manage the affairs of France better than he.' Even in matters of religion Chateauneuf preferred to oppose the views of the Cardinal. But these projects were not restricted in their application to the administration of France. We have mentioned the various enmities which the Lord Treasurer Weston had to encounter at the English court. They originated to a great extent with the Queen, who would have wished to bring her friend the Earl of Holland, the friend of Chateauneuf, to the head of affairs[1]. Richelieu and Weston, although in other respects much unlike, yet resembled one another in this:—they both had no other interest in view than the extension of the royal power, which put out of sight all personal considerations. It was intended to overthrow them both, and to replace them by more accessible men, who belonged to a different system. With this object was connected the design of restoring the Queen-mother in France, and with her the line of policy common to the Austro-Spanish party and to that of Lorraine.

In the midst of this net of political entanglements and intrigues King Charles remained calm and unconcerned. He took pains to hinder the threatened outbreak of factious violence, despite of which he knew how to support his minister.

In France such proceedings were taken as were usual at that time. Chateauneuf and Jars were arrested in February 1633: the former, whom his enemies wished still to spare, was sent to prison at Angoulême; against the latter criminal proceedings were instituted. He was condemned to death, re-

[1] This explains the reason why the younger Weston, the son of the Lord Treasurer, who at that time was entrusted with an extraordinary mission in France, was impelled to intercept the correspondence between Lord Holland and people in authority in France, which on his return he laid unopened before the King. It turned out to be quite innocent: but the King approved Weston's conduct. The Queen's whole court however was thrown into a state of excitement. Holland sent Weston a challenge to fight a duel; but the King succeeded in preventing it. (Calendar 1633–34, ii. 14.)

prieved only upon the scaffold, and then thrown into the Bastille. All their friends experienced a similar fate, except such as were able to save themselves by flight. Madame de Chevreuse was banished first to Dampierre; and as she sometimes came thence to Paris in order to see the Queen, she was sent before the end of a twelvemonth to Tours, where she spent four long years.

From that place, so far as the secrecy enjoined by her dangerous position allowed, she kept up a very extensive correspondence with friendly members of the various courts, and received messages from the Duke of Lorraine. In the year 1637 Richelieu came upon traces of the share which the consort of his sovereign took in these and similar combinations. But he had no mind to suffer any deviation from the policy to which he adhered, in any member of the court. Queen Anne had established a correspondence with the Cardinal-Infant, which she used to conduct by means of English agents in Paris and at the Hague. She was forced to confess her guilt, and was then pardoned, but only upon promising to renounce for ever all intercourse of this sort. Madame de Chevreuse, who knew that she was involved in this discovery, in order to avoid arrest, fled to Spain in the disguise of a young cavalier, as suited her bold and adventurous character.

The Queen of England, who had no share in these matters, sided at that time in her political leanings with France. The ambassadors report how sensible she was of every token of friendly feeling exhibited by her brother and the Cardinal, and how she at times even resisted proposals made by Spain [1]. After the death of Weston she acquired more importance, as the King exhibited a passionate and growing attachment to her, and it was thought that she would turn it to the advantage of France, if she were properly advised. In Bellièvre's despatches it was said that the Queen was well disposed, but still had slight influence; and that nothing more must be desired of her than she herself thought expedient for maintaining the good understanding between the two crowns:

[1] Cousin, Appendice No. 1, No. 3, p. 280.

that perhaps an opportunity would soon arise when she could do more[1]. The Cardinal thought it worth while to secure her good-will by fulfilling one of her most urgent requests. Nothing was nearer to her heart than the liberation of Jars, who had been thrown into the Bastille on her account. She made requests in his behalf through the diplomatic agent who attended to her especial business at the French court: she spoke to the French ambassador in London on the subject, and wrote to the Cardinal about it. Richelieu granted her request. One day in May 1638 Chavigny, one of the ministers employed under Richelieu, went to the Bastille and brought out Jars, in the first instance to the dwelling of the Queen's agent, to whom he said that, at the command of the Cardinal, he delivered Jars into his hands; henceforth he was the prisoner no longer of the King of France, but of the Queen of England, and she might deal with him according to her pleasure[2]. It would have been impossible to fulfil the wish of the Queen so as to confer a greater obligation on her. The way seemed opened for establishing the best personal understanding between the two courts and the two kingdoms, as it had already for some time been opened for establishing a cordial understanding politically by the plan of an alliance already referred to.

But meanwhile even in the personal relations between them a strong counteracting influence came into play.

As early as the autumn of 1637 intelligence had reached the French court that Mary de' Medici, the mother of the King, weary of her residence at Brussels, which led to no result in her favour, wished now to visit England. The French ministers thought the matter important enough for them to call the attention of the King of England to the untoward consequences that might arise from it. They said to him that the whole

[1] Mémoire et instruction au Sr. de Bellièvre, Angleterre 46. In order to anticipate an objection which might be founded on the correspondence of Estrades, I must state beforehand that I consider the first part of it spurious, or at all events falsified.

[2] From Digby's letters to Montague, which are to be found in the French Archives, from March to May, 1638: 'qu'il n'étoit plus le prisonnier de ce roi, mais de la reine d'Angleterre.'

world knew that the Queen-mother cherished views favourable to Spain: that if she found a reception at the court of the King of England, people would conclude that the latter was not seriously in earnest about the alliance with France. They added that Charles I would not be able any more than others to succeed in reconciling mother and son; if for no other reason, because Louis XIII had declined the mediation of his brother and of his brother-in-law the Duke of Savoy, and regarded the matter as exclusively his own affair; and moreover because he was convinced that the Queen-mother, if she returned, would, with her friends and adherents, only give trouble [1].

In England this expression of opinion awakened some displeasure. Charles I expressed himself surprised that any one should think that the Queen-mother could acquire so much influence over him as to shake him in his inclination in favour of France. He said that she doubtless did not even desire this: that he himself would not entertain the thought of mediating, were he not certain that the Queen-mother was resolved to think no more of what had occurred, and to throw herself unreservedly into the arms of her son through the mediation of the Cardinal [2].

It appears to have been the fact that the Queen-mother had decided to go to England mainly in order to take advantage of the friendly relations established between the two courts, and so to effect her return by means of the influence exerted by the one upon the other. But in France people regarded her project only as a design suggested by the Spaniards. As it had become clear to the latter that the Queen-mother could render them no kind of assistance so long as she lived away from France, the French thought that the Spaniards were desirous of procuring her return to France in order to avail themselves of her services; but that the French government could not allow itself to be so grossly deceived; that if

[1] Light is thrown on Bullion's proposal by a letter of Leicester, Oct. 6/16, 1637.

[2] 'Le roi nes' entremettroit pas, sans qu'il est confident que la reine mère désire réellement une amnistie de tout le passé et de se jetter entièrement entre les bras de son fils par le moyen du Cardinal.' From a letter of Windebank to Leicester, Oct. 26, which was intercepted and translated.

it was as important to the Queen-mother as she affirmed to detach herself from the influence of the Spaniards, she had better return to her native place, where she might expect ample maintenance to be given her by the King her son.

At first the matter rested here. But Madame de Chevreuse coming from Spain made her appearance at the English court, long before the Queen moreover, early in 1638. As a great lady and a friend of the Queen she met with a very honourable reception, in which no expense was spared: the charges borne by the King every month of her stay were reckoned at a considerable sum[1]. To her old admirers, among whom Earl Holland was the greatest, new ones were added: every one sought her company; and she produced a fresh and cheerful excitement in the naturally grave court. This however did not prevent her from showing herself a strict Catholic in other respects, as we perceive from an attempt she made to convert Lord Holland. She inspired the Queen with the fatal thought of favouring Catholic tendencies in the education of her children: all her wishes and manœuvres were directed to the removal of the hindrances which seemed to obstruct a close alliance between the English and Spanish courts: she made proposals for an union between the Princess Royal of England, who was still extremely young, and an Infant of Spain, without regarding the objections advanced against it on the ground of the experience of former times, which she jestingly set aside. She had paid especial attention to the Spanish ambassador Cardenas: the Papal envoy, Cuneo, relates that on one occasion she even borrowed his carriage from him in order to visit that ambassador without exciting remark[2]. Charles I had been angry with Cardenas on account of one of the ambassador's reports which had come to his knowledge; Madame de Chevreuse succeeded in removing the misunderstanding,

[1] Dispaccio Veneto 14 Maggio: 'Per la sua tavola restano assegnate 40 lire sterline il giorno; 200 ai mese per le spese minute: e per i vestiti li fornisce la regina di quanto le occorre.'

[2] Cuneo, 4 Giugno 1637: 'La Duchessa di Cevrosa meco si è andato mostrando piena di buon mi concetti ora comincio a farli animo et a procurare che lei faccia il simile con la regina principalmente in ordine alla educazione dei principi e principessa.'

and in restoring friendly personal relations between them, which opened the door to further negotiations.

If Richelieu was inclined at that time to allow Madame de Chevreuse to return to France, and to promise her an entire indemnity for the past, his inclination may have been due to the material hindrances thrown in his way by her activity at a foreign court. That she was ever in earnest about the negotiations for her return may be doubted.

In October 1638 Mary de' Medici found means to set out for England from Holland, where, out of regard for Richelieu, her residence was not altogether viewed with favour. It was only when she put to sea that she sent to announce her approach, adding however that she would turn back again if she were likely to cause embarrassment to her children. Queen Henrietta Maria in reality feared that the maternal authority would place restrictions on her freedom: but it also gave her great pleasure to see her mother again after so long a separation, and to show her hospitality in her exile; her husband also would not now offer any opposition, although the restless activity of the people who came with the Queen was distasteful to him[1]. The Queen-mother, who had a rough passage of seven days, was received with all the honour due to her rank and to the ties of relationship. Even in England she exhibited the self-respect which she maintained during her misfortunes. When the Privy Council paid her a visit, she did not even rise from her seat: the King was seen to speak to her only with head uncovered, although she was maintained by his kindness, which cost him no small sacrifice; the Queen took pleasure in the performance of filial duties. Mary de' Medici also had a Spanish match in view: she is said even to have opened a negotiation for that object of her own accord, without being authorised by her son-in-law. Above all she clung to her purpose of using her residence in England to effect her return to France.

One day in December the French ambassador Bellièvre had had business at the royal palace. He was desirous of

[1] Cuneo 'La regina ha persuaso al re, di trovar buona la sua venuta con sdegno di tutti.'

leaving, when he was detained by Lord Holland in one of the galleries, and after a short time the King and Queen of England with the Queen-mother came in through the very door by which he would have been obliged to withdraw. He had intentionally avoided paying her his respects, as all the other ambassadors had done: when she came nearer she now said to him that she had a word for his ear, and the King and Queen left her alone with him. She then assured him that, after so many painful experiences, she was of quite another mind from that in which she had formerly been when she left France: that she conjured the Cardinal to deliver her out of her misery, and not to leave her under the necessity of begging her bread: that she wished for nothing except to be near her son, and that she promised if near him to interfere in nothing: but that if this indulgence could not be obtained for the present, she wished to be allowed to remain anywhere else in France, and have a maintenance given her; that she would remove from the neighbourhood of her person all who were displeasing to the Cardinal, and would in all things do what he advised her[1]. Bellièvre in vain declared that his commission did not go so far as to allow him to listen to her; that he was merely ambassador at the court of the King of England. She replied that she knew that the French ambassadors were bound to report what was said to them, and that this was enough for her.

Cardinal Richelieu however had made up his mind never to allow her to return to France, and to give her a maintenance only if she would repair to Florence. There was no question of compassion with him.

The Queen of England remembered full well that her brother had forbidden her to interfere in any way in the affairs of the Queen-mother: but the unhappy plight of her mother, the general interest which she awakened at court, and her own confidence in herself, founded upon the respect which the power of her husband must procure for her, moved

[1] 'Qu'elle me prioit de faire savoir a Monsgr. le Cardinal, qu'elle le conjuroit de la tirer de la misère, où elle se voyoit reduite—qu'elle est prête de faire en tout ce que le roy luy voudra ordonner et ce que Mgr. le Cardinal luy ordonnera.' Despatch of Bellièvre, Dec. 23, 1638.

her notwithstanding to make an attempt to do something for her mother. After some time, as her first expression of opinion had no kind of effect, she sent one of her people, Henry Jermyn, who of them all perhaps stood highest in her confidence, to the French court in order to set on foot in France itself a negotiation for the Queen-mother's return.

Bellièvre not only did not recommend the Queen's proposals, but was even adverse to them.

There are everywhere petty motives of animosity which not seldom exercise an influence upon affairs: and here also this appears to have been the case. Bellièvre, a small but well-shaped man, still young, and of lively aspiring spirit, had special reasons for dissatisfaction. He was a member of a French family that belonged to the nobility of the long robe, and it was his ambition never to stand in the position of an inferior. He was annoyed that the honour of the tabouret, i. e. the privilege of being allowed to sit in the presence of the Queen, had not been conferred on his wife, although it had been conceded without hesitation to the Duchess of Chevreuse. The efforts and intrigues of this lady were therefore all the more obnoxious to him. He believed that she brought the King offers from the Spaniards which ran counter to those of the French: he pretended to know that she expressed her undisguised joy at losses which had overtaken the French in the field. On the whole it appeared to him that, under her influence and that of the Queen-mother, Queen Henrietta Maria herself had contracted an inclination for the policy of Spain, from which she had hitherto been free, and which gained ground also among her suite; not perhaps with Lord Holland, who continued true to French interests, but with the rest, from whom for that very reason Lord Holland was beginning to detach himself.

Bellièvre expressed his conviction that it would do no good to receive back the Queen-mother into France: he thought that, if she were replaced in exactly the same position which she had enjoyed before, she yet would never part with her advisers. He was of opinion, even with regard to the Queen of England, that it would not be of much use to give ear to her proposals. Certainly if they were declined the ministers

of the Queen-mother would do everything to sever England from France: but even if her proposals were acceded to, the same men would for that very reason be so much the more completely masters of the English court, and would enforce their wishes on the Queen, and even on the King[1].

In consequence of this Jermyn not only found no opening for his proposals, but met with a bad reception generally. Queen Henrietta Maria made a jest of it, but nevertheless she was irritated. Among her friends she let it be known that she was treated in France as a daughter of the house, that is, without any respect, and with the contempt which had always been shown there towards England; but that some day she would be able to take her revenge. Among her friends Montague, who for love of her had become a Catholic, was regarded as the one who principally confirmed her in her views.

How long had people in France already waited for the day when the Queen of England would acquire influence over her husband! This came to pass for the first time in the course of the disputes with the Scots, after which a certain community of interest sprung up between the Episcopal Church and the English Catholics, both of whom had to expect their ruin from the rise of the Puritans. The Queen was useful to the King from her influence with the Catholics: cases had arisen in which her counsels had proved suited to the occasion: he began to listen to her. But when this period arrived, the Queen was no longer on the side of the French government. She felt affronted and rebuffed by the Cardinal: she thought him capable of allying himself with the Scots against England; and she espoused the cause of her mother with increasing warmth. In March 1639 the French ambassador expresses to his court his fears that the Queen of England, under the influence of the friends of the Queen-

[1] 'Que si les ministres de la reine n'obtiennent ce qu'ils desirent, ils brouilleront l'Angleterre avec nous, et la feront joindre à l'Espagne, comme on croit que Monsigot a proposé au Card. Infant; que si Germain rapporte contentement, ils regenteront dans la cour d'Angleterre et feront faire au roi et à la reine ce qu'ils voudront.' Extract from a letter of Bellièvre of March 7, which was submitted to the Cardinal.

mother, would do everything which the latter might suggest to her against the interests of France. Many other opponents of Cardinal Richelieu also happened to be in England at that time;—Vieuville whom he had once overthrown, and De la Valette who had retired from France because he had allowed himself to be entangled in a plot against the Cardinal. Bellièvre reports that the latter was almost every day in the company of Madame de Chevreuse; that he had long conferences with the ministers of the Queen-mother, and on those occasions also saw the English Queen; that they all were in uninterrupted communication with the Spanish ambassador[1].

Already long before this time new projects of wide range had been spoken of, which were said to have been set afloat in England by means of the friends of the Queen-mother. At that time a Frenchman named Petit, who possessed property in Lorraine, and was engaged in chemical researches in London, paid a visit to the French ambassador, and told him that they had embraced the design of hazarding an attack upon Brittany: he said that they had selected a place (of which he did not mention the name), which might be captured with little trouble, and maintained without difficulty. Moreover people in France spoke of an impending alteration in the government on the death of the Cardinal, who was very weak and sickly. Vieuville said to the Duchess of Chevreuse that she would be wrong if she did not take care to be on the spot in France at the moment when such a change occurred. People expected everything from the preference Queen Anne felt for her.

These hostile tendencies, which certainly were primarily of a personal character, but which nevertheless penetrated deeply into politics, now fell in with those differences in the conduct of political affairs which allowed no hope of union.

However seriously Charles I on his part might affirm that he would not estrange himself from France, yet Bellièvre nevertheless adhered to the opinion that this was quite

[1] 'Madame de Chevreuse voit encore plus souvent l'agent d'Espagne, avec lequel les ministres de la reine mère traitent par l'entremise d'un fripon nommé Gedeon.' Bellièvre, Aug. 4.

possible, nay probable. He knew that the Queen, so far as could be seen, was an enemy of France; that many members of the Privy Council were in the pay of Spain and drew pensions from that power; that many others, who had hitherto been prevented by regard for the Queen from speaking against France, were now on the contrary invited to do so by her change of feeling: and that nothing less could be expected than that even the King would allow himself to be hurried into hostility to France.

Under these circumstances people in France were very far from expecting King Charles to come into the French and Swedish alliance in consequence of the Pacification of Berwick. On the contrary this agreement seemed to constitute a danger, as it untied the hands of the King of England. It cannot be doubted that alliances between the Scots and Cardinal Richelieu had already been formed: they were carried on through his almoner Chambres. They may have inspired the Scots with a general feeling of courage, owing to the support which was held out to them in consequence; but they could hardly have had much effect upon the steps which they actually took, if only because the medium of communication was a zealous Catholic. But now Bellièvre advised his employers to espouse the cause of the Scots with a very definite political aim. He considered that the old alliance between France and Scotland ought to be renewed, and the King of England hindered from ever embarking on hostilities against France without the fear arising in his mind that he would have the Scots against him. Bellièvre thought that the negotiations which were being carried on between Charles I and the Scottish Parliament ought to be made use of and directed towards the attainment of this object[1].

[1] 'Faire proposer par l'assemblée et le parlement des choses qui étant accordées bride l'Angleterre à un point, qu'elle ne puisse jamais être notre ennemi, sans avoir au même tems l'Ecosse sur les bras, ce qui se pourroit faire en renouvellant les anciennes alliances entre la France et l'Ecosse.' (Bellièvre, July 7, 1639.)

CHAPTER III.

RELATIONS OF ENGLAND WITH THE ARMY OF BERNARD OF WEIMAR AND WITH THE SPANISH FLEET UNDER OQUENDO.

It is quite true that Charles I was at this time engaged, as he had been at an earlier period, in carrying on negotiations with the Spanish court which might easily have led to an open quarrel with France.

In the autumn of 1638 a contract was drawn up at Brussels, according to which Spain and England were to unite in order to wrest from the French their conquests in Germany and Italy; indeed it was the great interest which the two crowns had in this object which brought them together. On the other hand the Emperor Ferdinand III was to be induced by the Spanish court to recall the ban which had been issued against Frederick Count Palatine, and to restore the Electorship to the heirs of that prince. King Charles was quite ready to accede to the contract, if only trustworthy security were given to him with regard to the Palatinate[1].

In the spring of 1639 accordingly the intention of Charles I to take troops from the Spanish Netherlands into his service, as formerly mentioned, was much discussed. The Cardinal-Infant asked a question on the subject in Spain.

A third point on which negotiations took place was still more urgent. The Spanish monarchy was once more collecting all its resources to send a great fleet with troops and the

[1] Clarendon State Papers ii. 13. The erection not only of an eighth Electorship for Bavaria, but even of a ninth was talked of: 'attendue la nécessité du nombre impair des électeurs, sa Majèsté Impériale se trouvant obligée d'en créer un autre à son choix.'

necessaries of war to the Netherlands. The Spaniards indeed boasted that they desired to chastise the insolence of the Dutch and French: but in fact they were conscious of the superiority of their adversaries. They sought to assure themselves beforehand, if not of the alliance of the English, yet at least of their protection within English waters, if disaster or too strong a resistance should drive their fleet thither. Charles I did not refuse this request, always provided that satisfaction should be done to him in return in the affair of the Palatinate, with regard to which the Spaniards made fresh proposals [1].

What injustice is done to Charles I by any one who accuses him of having negligently lost sight of the cause of his nephews! It is true that he would not draw the sword in their behalf: but they supplied the principal motive which guided him in his diplomatic transactions. His relations with the great parties and powers who were fighting for ascendancy on the Continent, were principally determined by regard for them: the ceaseless vacillation of his policy was due to nothing but the multiplicity of the circumstances which affected them.

It certainly seemed that he might expect the Spaniards to do most for them; for Spain, by its influence on Austria, could act most effectually in support of the restoration of the Elector Palatine. But we know how often he had been deceived in this hope: the relation between German Austria and Bavaria especially made the designs suggested by the Spanish ambassador impracticable. Had the King been willing to give his unreserved support to the interests of Spain, which were so closely connected with those of Catholicism, he would never have effected anything. He therefore sought an alliance with the French court: the affair of the Palatinate formed the principal subject of the stipulations he made with it. But Charles I could not and dared not side unconditionally even with France: for by taking this step he would have been compelled to come to an open breach with Spain, which would have disturbed the profitable traffic of the

[1] Giustiniano, 15 Aprile, 20 Maggio 1639. 'Spagnoli hanno procurato d'introdurre Brusselles nuove pratiche per li interessi della casa Palatina.'

English nation with the distant possessions of that monarchy: and he would thereby have promoted the general ascendancy of France, which was in the highest degree disadvantageous to the position of England. Moreover he would not even have reached his end by this path, for the final decision still rested with the Emperor.

In these embarrassments it was the policy of King Charles to make advances to those powers which were striving to resist the Austro-Spanish house, while he did not exactly make common cause with them: he hoped, as it seems, to make such use of the fluctuations of fortune and of war as to induce the Emperor himself at last, for the sake of his own interest, to grant the wished-for indulgence.

The affair of the Palatinate forms as it were the woof in the web of Charles I's history, running through it in all directions. And never at any time had it been of more importance. In one of the most remarkable entanglements of European relations, the considerations arising out of it decided his line of policy.

The conquest of Breisach by Duke Bernard of Weimar in December 1638 was hailed with as much joy in England as in every other Protestant country. The establishment of this brave general on the great continental line of communication between the different parts of the Spanish monarchy, could not but determine that power to devise some way out of the difficulty. The occupation of this place too threatened Bavaria with an immediate danger, which could not fail to make an impression on the Elector Maximilian, on whom everything depended. A project was even entertained of marrying the victorious Duke of Saxe-Weimar to a princess of the Palatinate, so as to attach him as closely as possible to the interest of that family. Duke Bernard for his own part sought to make himself a little more independent of France: not that he had in view the foundation of a third party, which would have brought everything into confusion; he was only unwilling to be a vassal of France: he thought of taking his place beside that power as an independent ally. In this enterprise he had Protestant Switzerland on his side, which was very unwilling to see the French establish

themselves in Lorraine. This design moreover exactly suited the policy of Charles I, to whom the aggrandisement of France was displeasing.

The unexpected death of Duke Bernard in July 1639, whilst he was preparing to assume so great a position, must be regarded as a general calamity. At first however it seemed as if this casualty would even have consequences favourable to the plans of England and the Palatine house. Many Englishmen had already made preparations for taking service in Bernard's army: the project was now mooted of putting the Elector Palatine at its head, by which means he would at once have regained the position of a military power. Charles Louis seized this idea with ardour. While he opened negotiations on the subject at the court of Sweden through his ambassador, he came himself to England in order to gain for his enterprise the support of the King. The ambassador accredited by Switzerland, who had just arrived in England, displayed especial zeal: he tried every expedient to move the Cantons to action in the Elector's behalf. Letters were instantly written to the directors of the army, who at once returned an answer. They showed themselves quite ready to accept the Elector as commander-in-chief, when he should appear amongst them, but on condition that the King of England paid them a definite subsidy monthly, in order to maintain the efficiency of the troops and keep them in good spirits. In spite of the want of money, which had been rendered doubly pressing by the Scottish campaign, we learn that the sum required for taking over the command of the army was nevertheless got together, and hopes were held out of further advances. A private individual, Lord Craven, who had most abundant means at his command, and had formed the resolution of applying them to the service of the Palatine family, was ready to attend the Elector to Germany[1].

This enterprise corresponded exactly with the views of the King. He hoped to achieve his great end by cleverly

[1] Giustiniano, Aug. 19, Sep. 23, 1639: on whom we have principally to depend for information about this matter.

availing himself of a favourable moment, while at the same time he made no great efforts, and did not actually participate in the war itself, or come to a breach with Spain, with which on the contrary he carried on constant negotiations. If he had succeeded in his design, he would have attained to a different position in foreign, and perhaps even in domestic, affairs.

A difficulty however stood in his way, which might be regarded as insuperable: namely, the opposition to be expected on the side of France.

The court of France had hitherto regarded the army of Bernard of Weimar as half its own, inasmuch as the Duke owed the means of keeping it together in a great measure to French subsidies: how then could it be even imagined that France was to stand by quietly when this army not merely claimed to act for itself, but even made itself dependent on another power? Cardinal Richelieu on the contrary intended to acquire both the army itself, and its conquests, permanently for France. This was what he had most at heart: he was nearer to the scene of action; he had long formed relations with its leaders; he was better provided with money: how could he fail to anticipate and nullify the negotiations of England?

This obstacle to his plans did not escape the notice of King Charles: but owing to the peculiar complication of circumstances he expected to get into his hands a means of removing it by a counter-concession.

Just at that time, in the middle of September, 1639, the Spanish fleet appeared at sea. Long as it had been prepared beforehand, it was not at starting sure of success, and reckoned on the protection of England. King Charles had been entreated, as we have seen, to grant it hospitable reception in English harbours, if matters so turned out as to make this necessary. And straightway this contingency occurred. The fleet on this occasion, as before, consisted principally of huge galleons, whose tackling was too weak long to resist wind and tide in those narrow seas: nor was the fleet adequately provided with artillery and seamen. On the first collision with a much smaller Dutch squadron, which was

cruising in the Channel under Van Tromp, the Spanish admiral Oquendo found himself compelled to seek a refuge on the English coast in the Downs near Dover. And as his preservation from a superior enemy now depended on the protection which Charles I would accord him there, the admiral entreated it most urgently, saying that the honour of the Spanish monarchy and the maintenance of its dominion in the Netherlands were dependent on the King. Charles I appeared strongly inclined to grant his prayer. He opened a negotiation with the ambassador Cardenas, in which the affair of the Palatinate was brought forward afresh: and Cardenas promised him all possible compliance and assistance in the matter.

The Dutch and French ambassadors, however, urged an opposite course on the King. They called his attention to the fact that he stood in close relations with their governments as well as with Sweden, and had all but concluded a treaty with them: they suggested to him that he ought not to incur their hostility by preventing them from annihilating the Spaniards here on his coasts; that he ought to remember that he had never hitherto experienced any benefit at the hands of the Spaniards, and that even on the present occasion he could not hope that they would fulfil their promises.

This was one of the most important moments in the life of Charles I. The two great conflicting forces which divided the world, and with each of which he had some connexion, now called upon him to choose between them without delay. This was even a source of moral embarrassment, inasmuch as the King by his previous attitude had given both parties a certain right to expect his support: but the political embarrassment was the most conspicuous, and seems to have been the only one felt by the King. He had now to put an end to all wavering, and in one decisive instant to throw himself on the side of one of the two parties.

Bellièvre once more brought into play the whole of the influence which he claimed to exercise on Queen Henrietta Maria as the ambassador of her family. He reports that she had favoured an adverse policy, but that he had spoken with her in a manner which might certainly have provoked her displeasure, but which however had in fact changed her

opinion. Negotiations were opened between the ambassador and the King himself through the mediation of the Queen.

But if the promises which the Spaniards gave with regard to the affair of the Palatinate supplied a motive for extending shelter to them, how much stronger a motive, under the circumstances which we have mentioned, must the King have had for attempting to win over the French government!

Bellièvre, when informed of the negotiations that were being carried on with Spain, acted on the hint that France must oppose promises on her own part to those made by Spain, and at last asked to be informed what was expected of him. We learn nothing of the deliberations that may then have been carried on between the King and Queen. But the preference was given to the plan of purchasing support for the Elector Palatine, in the projects that were being agitated, by making concessions to France. In answer to the French ambassador, the Queen expressed a hope of obtaining a promise from him that the Elector Palatine should be placed at the head of the army of Bernard of Weimar. She added that in this event the King on his part would offer no resistance to the wishes of the French: that he would not break with the Spaniards it is true, but that he would not interfere with any steps which the Dutch might take against the Spanish fleet [1]. Bellièvre said that he was not commissioned to make proposals; still he by no means set aside those which had been submitted to him: he merely asked how many troops the King was willing to give the Elector to take with him to Germany. Charles I replied that he rather left the King of France to support the Elector with troops; that he could do no more in this way than have some 6000 men enlisted in England and transported to the coast of France, where he intended that they should be taken into the pay of the French: that in return for this however,

[1] 'La reine me dit, que le roi feroit tout ce que nous et les Hollandais pourrions souhaiter en leur faveur contre la flotte d'Espagne, sans néanmoins se déclarer ennemi, en sorte toutefois que les Hollandais auraient lieu d'entreprendre et faire tout ce que bon leur sembleroit: qu'il (le roi) voudroit aussi que je lui proposasse en recompense, de mettre Mr. le prince Palatin [he was not yet acknowledged Elector] à la teste de l'armée, que commandoit feu le duc de Weimar.' Despatch of Bellièvre of October 9.

and especially for that other far greater service of allowing the Spanish fleet to be destroyed on his coasts, he required the King of France to promise that he would conclude neither truce nor peace which did not comprise the restitution of the Palatinate. This was the same object which he had already attempted to gain in the former negotiations: open hostilities against Spain had been demanded of him in return. His intention was to extract the desired engagement from France, without committing himself to this extent, by means of the concessions which he now expressed his readiness to make. He allowed the ambassador fourteen days for procuring the consent of his court: if this period expired without any result, he intended to be at liberty to make terms with Spain.

It is indeed possible that King Charles was incensed afresh against Spain by the tidings, which he then received, of a renewal of the connexion between the Spaniards and the malcontents in Ireland; and that he called to mind their former breaches of faith. He had also certainly not given them any definite promise of protection. Still it remains a most odious imputation on the sovereign who laid claim to maritime supremacy that he resolved to deliver over the weaker party, who had come to his coast entreating shelter, into the hands of the stronger in return for an advantage which he bargained to obtain from them. What seduced him was the consideration that he need not interfere decisively: he thought that, without breaking with the Spaniards, he could bind their adversaries to him, and carry off the fruits of the victory without drawing the sword himself. And moreover this was after all but a project, not a settled conclusion. Meanwhile he continued his negotiations with the Spaniards, from whom he claimed a large sum of money in return for the armament which he had been forced to equip for their protection.

But how could these counsels have had any good result, inspired as they were by weakness and the love of peace on the one side, and on the other by the intention of turning an accidental combination of circumstances to the greatest possible advantage?

The French felt the advantage of the position of general

superiority in which they found themselves placed. Even under existing circumstances they did not feel in any mood to accede to these proposals of Charles I. They adhered to their wish that he should at last sign the offensive and defensive alliance, which had been so long talked of, and which was still kept in prospect. If he would then support his nephew the Elector Palatine with an army, which he would be expected always to keep in an effective condition, and if he would further himself contribute to the actual destruction of the Spanish fleet, they thought that he might feel assured that France would conclude no arrangement without stipulating for the restitution of the Palatinate, and procuring satisfaction for the Elector. The French court passed over in silence the proposal for helping the Elector to become commander-in-chief of the army of Bernard of Weimar: it thought it best not to express any opinion at all upon that subject. It certainly expected no result from the renewal of former demands; but it was already satisfied with the maintenance of the negotiations: above all it wished Bellièvre to take care that King Charles did not come to an agreement with the Spaniards, as the Dutch fleet would meanwhile gain time to annihilate the Spanish[1].

The interval which Charles I had allowed for the answer of the French court had not yet expired: he was still able to think that he had the matter in his own hands, when the Dutch admiral Van Tromp, empowered by a resolution of the States-General to that effect, proceeded to attack the Spanish fleet in the English roads. The English vice-admiral Pennington was neither strong enough to prevent the conflict, nor had he any orders to do so. The Dutch sank a number of Spanish ships, and burned others: the number of those which they captured was about eleven[2]: the greater part, however, with Oquendo himself on board, favoured by a thick fog, escaped to the opposite coast and ran into Dunkirk harbour.

The Spanish fleet was not, strictly speaking, annihilated;

[1] Bullion to Bellièvre: unfortunately not dated. Bellièvre's despatch is of October 9: the battle in the Downs took place on the 21st.

[2] The Venetian ambassador reckons them at this number. Cp. Thysius 239.

the booty which the Dutch carried off hardly equalled the outlay which their armament had cost them. The event must however be regarded as decisive. A similar fleet never again set sail from Spain for the Netherlands.

Charles I, in allowing this transaction, had rendered a great service to the Protestant cause; but at the same time he had played an uncertain part unworthy of his great position, from which none but consequences disadvantageous to him could arise.

The suspicion entertained against him by his subjects went so far that they even inferred from his dubious attitude a secret understanding, to the prejudice of their religion, between him and the Spaniards. They hailed the occurrence as a victory over the King himself. True Englishmen felt annoyed that a great battle had been fought out on their coasts without their participation.

The Spanish ambassador complained loudly and bitterly. Charles I answered him with contemptuous remarks on the slight power of resistance displayed by the Spanish Armada. The Dutch ambassador, on the other hand, who attempted to excuse the enterprise of his countrymen, was rebuffed by the King with harsh expressions. Disagreeable incidents encountered him on every side.

But the most annoying of the quarrels in which he was involved arose out of his design upon the army of Bernard of Weimar, which he attempted to carry out even before the defeat of the Spanish fleet. He did not even wait for the French court to state its views in reply to his application. As soon as a favourable answer arrived from the Directors of that army he allowed the Elector, Charles Louis, to set out without delay to take possession of the command.

And indeed the intention was that the Elector, attended by only a few trusty companions, should take the route through France to Breisach, which was both the nearest way, and was least exposed to the disturbances of war. The King said to the French ambassador, that the Elector should make his appearance with the army merely as a volunteer; and that any further steps should be dependent on the answer of the French court, which was still looked

for. The ambassador called his attention to the impropriety of a prince of such high rank travelling through France without previously giving notice to the King, in fact without even so much as a safe conduct from him. But Charles I would hear of no delay: he professed to think that his ambassador, the Earl of Leicester, would still have time enough to make a communication to the French court on the subject. Bellièvre, however, did not himself believe that the King was serious in his professions. In his report he says, that such a communication, if made, would be made only after the event; that the intention was that the Prince should travel through France incognito, without seeing the King, or any of his ministers. In reality, people in England thought that if he went to Court, he would be detained there until matters had been settled in the army to his disadvantage: that if on the contrary he made his appearance at the right moment, and, what was more, with sufficient supplies of money, the greater part of the officers would declare in his favour. And it appeared quite possible to go through France unrecognised, as the King himself had succeeded in doing in his youth.

Thus it fell out that Charles I allowed his nephew to set off for France, with few attendants, but provided with money and good letters of credit. On October 15 Charles Louis left England on board one of those ships which were still lying beside the Spanish fleet in the Downs. On his arrival at Boulogne he was saluted by all the other ships. On October 17 he was at St. Denys, and on the following day he proceeded through the capital to Villejuif on the road to Lyons. He endeavoured to maintain so strict an incognito, that he did not even see the English ambassador, for he wished to allow no one at all to recognise him[1].

But meanwhile the French government was kept informed of every step which he took. It knew that the object of his journey was in complete contradiction to its own intentions; and it was not accustomed in political affairs

[1] We learn from an intercepted letter of Leicester that he entirely approved of this: 's'il est reconnu je ne pourrois être soupçonné d'en être la cause.'

to show the smallest regard to others. When the Elector arrived at Moulins he was detained for want of a safe conduct; and was brought without further ceremony to the fortress of Vincennes, where his captors professed their intention of examining him. The French government maintained that it was thereby exercising its right: for if the intentions of this Prince were good and laudable, why should he so carefully conceal his journey through France? But so far as his intentions were not of this character, but were hostile to the interests of the King of France, they alleged that they had every reason for not allowing him to travel any further [1].

Just at that time the convention was concluded by which the army of Bernard passed into the service of France. On October 22 Erlach, who had the principal direction of the army, took the oath in the presence of Guébriant. All counter action to which the feeling of other officers might have given rise, if the Elector had been present in person, was avoided beforehand by his imprisonment at Vincennes. His presumed secrecy was what furnished a specious pretext for making him harmless.

The King of England regarded this transaction not merely as a misfortune, but as an affront. The services which he had rendered to the French were returned with ingratitude, or, rather, with the contrary of that recompense which he had expected from them. But, while he made known his displeasure on the subject, twice as great a feeling of irritation set in on the side of the French. They had the less hesitation in taking part against Charles I wherever an opportunity of doing so presented itself.

[1] Chavigny replied to Leicester's complaint: 'Le roi ne pouvoit pas faire moins à un prince, qui vouloit passer par la France incognito.' Cp. Puffendorf, Rer. Suec. lib. xi. 59.

CHAPTER IV.

RENEWED DISTURBANCES IN SCOTLAND.

THE French nowhere found wider scope for this policy than in Scotland, where the Pacification of Berwick had not only not led to peace, but had stirred up yet more violent dissensions.

From the first moment different opinions were formed among the Scots with regard to this measure. Even among the Covenanters there were many who hailed it with delight. For what, they asked, must have happened if the King had continued obstinate, and they had been obliged to fight against him? Among the English, at all events, they did not find so much support as had been expected; even among the Scots the old divisions were reviving; many of the Covenanters felt their consciences smite them when they thought that they would be plunged into a bloody conflict with their King. But on the other hand it was remarked by others that the literal meaning of the conditions did not offer them any adequate security. They saw the camp broken up with feelings of dissatisfaction: for they thought that without such an army they would be obliged to submit to every dictate of the King. They complained that the agreement had been concerted in far too great haste by some few, without the concurrence of a sufficient number of nobility, gentry, and clergy.

Even at the moment when the Pacification was being concluded, these differences had made their appearance. The King had expressed himself in conciliatory and soothing terms

about some clauses which gave offence by their severity[1]. These expressions were taken down, and passed from hand to hand: at the same time it was thought expedient to append to the King's proclamation, which was made known in the camp, a remark upon the sense in which it was to be understood. People would have been glad to have procured a further written declaration to this effect from the King himself; but he would not allow himself to be persuaded to give this, just as he persevered in maintaining a somewhat proud and rigid attitude in general. Men like Argyle, when they appeared in the royal camp, could not congratulate themselves on meeting with a particularly gracious reception. Between the nobles who attached themselves to the King, and those who belonged to the other party, unpleasant discussions broke out in the King's presence. The Covenanters were discontented and full of suspicion when they saw the sovereign to whom they wished to restore a certain, even if not the old traditional, measure of power, surrounded by men of high temporal and spiritual rank, whom they regarded as their enemies.

But meanwhile the people also were thrown into a state of excitement, mainly because the strongholds wrested from the King's garrisons were again to be restored to them. In Edinburgh especially it was thought insupportable that the Castle of that town should again receive a garrison such as had formerly held it, and, what was more, with Ruthven for its commander, a man who, as well as others, had fought in the German wars, but was known to be a decided Royalist. Popular disturbances broke out, in which the King's servants were insulted,—Hamilton especially, who had hastened thither in order to enforce in person the conditions of peace, which, for the most part, had been suggested by him. A number of the Scottish nobility, whom the King had ordered to come to his camp with a view to further negotiations were prevented by force

[1] Baillie i. 218: 'The Kings own exposition, declared to us by all the Communers, and taken first at their mouth by many extemporary penns, and there set down by themselves to be communicat to all, gave tolerable satisfaction.' No doubt this was the original of the promise, which at a later period was so often brought home to the King, but which he never acknowledged.

from going thither. It is probable that they were not sorry for this, even if it cannot be proved that they had themselves provoked it.

When the King promised to attend both the Assemblies in Scotland in person, he cherished the hope of reviving his power, to some extent, during the proceedings, and by means of them, and of preserving the old forms of the constitution intact in their most important particulars. Hamilton now came back from Edinburgh with the impression that this was impossible, and that the King could expect nothing there but fresh losses. A full month had not yet elapsed from the conclusion of the Pacification; yet he already declared a fresh war to be inevitable. In making representations on this point, he raised a number of questions that had a wide application: for instance—whether the King could procure money for such a war without an English parliament? and if not, whether he was willing to summon a parliament, and to leave himself to its discretion[1]? No one decided these questions; but all had made up their minds to witness further complications, when the King unexpectedly announced his resolution to return to London. The two Assemblies were not on that account given up; they could not but take place; but they appear only as attempts at a further pacification, the results of which were to decide whether after all recourse must be had once more to arms. Hamilton declined to appear at them as the King's Commissioner. The Earl of Traquair, whose views at that time more nearly approached those of the Scots, undertook this office. On August 12th the General Assembly was opened at Edinburgh.

According to the terms of the Pacification the Scots refrained from demanding a formal ratification of the resolutions of the Assembly of Glasgow. But as to the substance of them, they declared to the Commissioner that they would cling to it as long as the breath of life remained in their bodies. They would not recede a hair's-breadth from the

[1] The Marquis his advise to the King. Berwick, July 6. Burnet, Dukes of Hamilton 144. This shows more sagacity than anything else that fell from Hamilton, so far as I know.

assertion that the ground on which they stood was the only legal ground. In open opposition to the King's opinion, they again enacted that the proceedings of the last Assemblies of the Church which had been held under his father were null and void: if the King would at any rate, under present circumstances, allow a new Assembly to be convened within a year's time, they on their part were ready to make a permanent statute, prescribing that the Assembly should be held once every year, and if necessary still oftener. The Commissioner on his part could not refuse to permit the abolition of Episcopacy: this was the principal concession made by the King: a dispute however arose about the wording of the resolution, which concerned indeed only one expression, but at the same time affected the main point of the controversy. The King had consented to the measure, on the ground that Episcopacy was contrary to the constitution of the Church of Scotland; the Assembly laid down that it was absolutely unlawful. At last Traquair assented to this expression, but the King showed great indignation, for he thought that what was contrary to the constitution of some one church was not therefore absolutely unlawful[1]: and he was afraid that the expression, if not moderated by a limitation to Scotland, might be applied to the English Church, which, like the Scottish, was a reformed Church. He censured the Commissioner in harsh terms for his compliance.

Still greater and more immediately urgent differences were to be anticipated, when on August 31 the Parliament met, like the Assembly, in Edinburgh. The summons had been issued under the presumption of the continuance of the legal forms; but now the King himself had given up the bishops; and the first question was, how the vacancies in the Parliament were to be filled. The King thought of replacing the bishops by clergymen selected by himself; but the Scots were of opinion that in this way Episcopacy would be abolished

[1] 'For many things may be contrary to the constitution of a church, which of themselfs are not simply unlawfull. For whatsoever is absolutely unlawfull in one church, cannot be lawfull in the other of the same profession.' Charles I to Traquair, Oct. 1, in Burnet, Dukes of Hamilton 158.

only in name, while in substance it was retained; and the nobles did not wish the influence which the bishops had exercised upon the nomination of the Lords of Articles, and upon the deliberations of Parliament, to be revived. Even the Scottish clergy felt no desire for this dignity, to which in fact they traced all the abuses that had crept in; they at that time declared that the participation of the clergy in civil business was as unlawful as Episcopacy itself[1]. It was vainly objected on the other hand, that in this way one of the three estates was abolished, which was a criminal proceeding forbidden under the penalties attaching to high treason. The Scots affirmed that the concessions of the King carried with them at the same time the removal of the episcopal element and the necessity of constituting a parliament of a new kind. They now themselves took in hand the work of reconstitution without delay; for, as they alleged, the King had promised them a free parliament. In fact their design was to give the representatives of the shires an independent position, almost as in the English Parliament; they did not wish to abolish the Lords of Articles, but to draw them from the deputies of the nobility, gentry, and commonalty, as was then forthwith done[2]: it is quite clear that this was not merely a question of form, but also a question of the distribution of power. For by the nomination of other clergy in place of the bishops, the crown would certainly have been able to win back its former influence over the Parliament, and the gentry would have lost the authority which they had derived from their participation in the movements of the Covenanters. But how should the members of the Tables and of the Committees, who had acquired a feeling of independence, have again returned to their former position? They endeavoured, on the contrary, to maintain, even under parliamentary forms, the power which they had acquired, and they succeeded in their endeavour. Not only was the Parliament transformed according to their views, but the most important rights were claimed for it. The

[1] 'All civil places and power of kirkmen to be unlawfull in the kingdom.'

[2] 'Commissioners of shyres chosen (to be) one (of the lords of) artickells.' Balfour ii. 360.

Parliament proposed that the King's Privy Council should be responsible to it, and that the King should be bound to follow its advice in making appointments to high military commands, especially in the fortified places ; and to comply with its recommendation in alterations of the coinage : even the right of conferring honours and dignities was in future to be exercised only under definite conditions ; the Treasury was no longer to possess any jurisdiction. When we consider the scope of these proposals, we understand why the royal commissioner brought his whole power to bear, by whatever means he could, to prevent the Parliament from advancing to definitive resolutions in the direction on which they had entered. He adjourned Parliament, at first for a short time. This was repeated some eight times in succession : at last he pronounced it to be prorogued from November 1639 until June 1640. This step however raised a question which was as important as any of those which he was attempting to get rid of. The Kings of England and Scotland had hitherto exercised the right of dissolving as well as of convoking Parliament : to other sovereigns who did not possess this right in dealing with their representative assemblies, this had appeared to be a most enviable prerogative. The Scottish Parliament now denied this right ; it sought to show that the right belonged to the King and his commissioner only in concert with Parliament. The Assembly broke up, it is true, but it left a committee behind it, which claimed to be considered as representing the Parliament, and transacted public business in this capacity.

How completely contrary to the expectations which had been entertained at Berwick was the course which affairs had now taken ! We do not join the complaints of treachery and breach of faith which were raised by men of the different parties against one another. Two powers and forces, between which a reconciliation was hardly possible any longer, now stood in opposition to one another. The monarchy on the one side, which, in spite of the great concessions which it made, nevertheless maintained its pretension to possess lawfully within itself plenary public authority ; and, on the other, a parliamentary and spiritual power which had grown up

during the rising under the patronage of proud nobles and preachers mighty in the word, and which would not at any price resign the independence which it had once asserted. The attempt which the two parties had made at Berwick to approach one another brought to light the internal opposition between them. The Scots, proceeding onwards with the logical consistency which from the first moment had marked their course, achieved such a measure of independence in determining the internal arrangements of the State in spiritual and temporal matters, that the monarchy was reduced to a mere name. They thought that they were thus defending an universal interest at the same time. Whoever reads the journals and memoirs of the Scots sees clearly for the first time how entirely they identified their cause at home with that of Protestantism, and with the Continental struggle against the Austro-Spanish power. They note the advance of the Swedes, of the German powers allied with them, and of the Dutch and French as an advantage to themselves. The advance of Baner into Bohemia in the summer of 1639, when he even made Vienna tremble; the further advance of the army of Bernard of Weimar, even after the death of its leader, and the danger with which it threatened Mainz, while in Westphalia and in Franconia the friends of the Emperor were kept down, and his enemies raised their heads:—all these events appeared to them to indicate the general victory of Protestantism, which indeed was their own victory also[1]. They were above all pleased that the Spanish fleet should be blockaded, and at last defeated on the English coast; for the embarrassment into which King Charles was thrown contributed to their security.

But, it may be asked, had they not, besides the support which they found in the relations between the great Powers of the world, also received some special assurances from one side or the other?

The French ambassador, Bellièvre, felt no hesitation in putting himself in alliance with the adversaries of King Charles in Scotland, in systematic opposition to the tendencies prevailing at the English court, which he regarded as dangerous to the interests of France. He was not, strictly

[1] Baillie, Oct. 12, 1639, notices all this.

speaking, authorised by his court to take this step. Yet he acted in the name of his court when he assisted a few Scots of the Covenanting party, with whom he had become acquainted in London, to go to Edinburgh, in order to further his designs among the members of the Assemblies in that city. He wished them to keep three objects before their eyes—the maintenance of the privileges of the Scots if the Pacification was brought to a final conclusion[1]; the renewal of the old alliance between France and Scotland; and lastly, a representation of the Scots in the English Privy Council. It is not to be supposed that the emissaries of Bellièvre exercised much direct influence upon the course of the transactions of the General Assembly or of the Parliament, for these bodies observed in their movements an internal consistency of their own; but no one will venture to deny that the leaders were encouraged to persevere in their course, even at the risk of breaking with their King, by the thought that in case of extremities they might reckon upon the support of France. Under these circumstances the maintenance of this alliance promoted their own security. As early as August 1639, Argyle, Lesley, and Rothes, addressed a letter to Bellièvre, in which they alleged circumstances as an excuse for the delay of the French enlistments in Scotland, about which Bellièvre had intentionally complained in terms intimating suspicion, though deeper than he himself felt, while at the same time, he referred to the old alliances between France and Scotland, which he said ought not to be disturbed by any shadow of mistrust[2]. Towards the end of the year, King Charles refused to grant an audience to the Commissioners of the Parliament who came to London, not so much on account of the object stated in their commission as an account of the nature of the authority on which it was based. Thereupon the principal member

[1] 'Persuadés que pour l'honneur de leur pays et le bien de leur religion ils ne doivent point laisser executer l'accord fait en termes généraux entre le roi de la Grande Bretagne et ceux du covenant, qu'ils ne fassent bien expliquer en quoy consistent leurs privilèges.'

[2] 'Nous ne consentirons jamais, que tant et tant d'alliances faites entre les deux royaumes soient jamais teintes par la moindre soupçon de notre côté.' 20/30 Août.

of the Commission, Lord Loudon, did not hesitate to turn to the French ambassador with a declaration that Scotland reckoned upon the support of the crown of France in the event of a breach with Charles I. A Scot of the name of Dishingtoun was the agent of the negotiations between Lord Loudon and the ambassador. The Scots announced their intention of requesting the King of France, if their dispute with Charles I were not shortly adjusted, to take cognisance of it according to the terms of their old alliance, and to mediate between them and their sovereign; and, in case this was impossible, to afford them protection against him. They remarked, that they would easily have been able to come to an understanding with the German sovereigns or with the Dutch instead, but that they were convinced their petition would not be rejected by France; and, if they were right in this, that they were determined to conclude no agreement with their King which did not allow full restoration of the alliance between France and Scotland. We cannot help asking how this alliance could have been contemplated after the crowns of England and Scotland had been united on one head. The ambassador had himself intimated that the participation of the Scots in Charles' Council for the management of foreign affairs would be necessary to effect that object. The Scots not only caught up this notion, but turned it into a demand for a high degree of political independence. They wished that the King should henceforward not be allowed to proclaim war without applying to the Scottish Parliament on the subject; the Scots must be conceded a regular place, not only in the management of foreign affairs in the Council, but also about the King's person in the offices of his household; they must have liberty even to keep plenipotentiaries in France as well as at the Hague[1]. Not until these designs

[1] 'Ils ne feront point de traité avec le roi sans que les conditions suivantes ne leur soient accordées: à savoir 1. que l'ancienne alliance entre les roys et les royaumes de France et d'Ecosse sera entièrement retablie; 2. le roi d'Ingleterre ne pourra entreprendre aucune guerre sans l'avis et le consentement du parlement d'Ecosse, et s'il le fait autrement, les Ecossois ne seront tenus d'en prendre part; 3. dans le conseil des affaires étrangères et près de la personne du roi d' Ingleterre

were accomplished could those political results be achieved, which the General Assembly and the Parliament had desired to bring about, in order to promote the independence of the Church, and the change of the constitution, by which the previous influence of the crown was to be excluded. The independence which the Parliament demanded in the conduct of internal affairs was now to be extended to its relation with foreign powers as well.

Bellièvre had entirely approved of the articles which were communicated to him, for they could only redound to the advantage of France: thus also hopes were held out to him of concluding a treaty of commerce in the interests of France, and to the prejudice of England. The proposals coincided with the most cherished aims of the ambassador; he regarded the severance of the policy of Scotland from that of England as the great object of his efforts. But if we are asked whether Richelieu also was of this opinion, and especially whether he thought it permissible, while France and England were at peace, to support a movement so decidedly hostile, we can only reply that such was not his view. Soon after the beginning of the proceedings he had directly forbidden the ambassador to mix himself up with the affairs of Scotland. When a proposed mission from Scotland to France was mentioned, he instructed the ambassador to prevent it, because at present it could have no result; for Louis XIII was very conscientious, and would not injure any one without reason. It was possible, he said, that England, which was constantly negotiating with Spain, would conclude an alliance with that power; in that case, the King, on his part, would be ready to enter into an alliance with the Scots, whom he loved; but until that time it would be as well to keep back the intended invitation.

He wished to let the Scots cherish the hope which they entertained of the eventual support of France, but affairs were

il y aura dorénavant des Écossois qui prendront garde, que rien ne se resolve qui préjudice à leurs alliances; 4. que les rois d'Ingleterre et leurs fils auront des Ecossois en chaque office de leur maison; 5. que le roi d'Ingleterre trouvera bon que les Ecossois tiennent un agent à la cour de France, ainsi qu'ils font a la Haye.'

not in such a state as to encourage him in the wish to make common cause with them openly at this moment.

The Scots however proceeded on their way. A letter is extant, much disputed it is true, but of indubitable authenticity; it is signed by six of the principal leaders, among whom we find Montrose, but not Argyle. In this letter the writers claim the protection of France, and formally accredit an ambassador named Colvil at the court of Louis XIII; even the instructions are extant which they gave to him. According to these, Colvil was commissioned to represent their grievances in Paris, especially touching three points—the illegality of the High Commission, the declaration of Charles I that the Scots were rebels, and the dissolution of the last Parliament, not only without its consent, but even in complete opposition to its wishes. He was to remind the King of the repeated alliances between the two nations, and of the services rendered by the Scots to the royal house of France: and he was to invite the King to procure for them, by mediating with their sovereign, a renewal of the enjoyment of their privileges[1].

The attention of Charles I had long before been called to the connexion formed between the French and the Scots; his confidential agents were now indefatigable in seeking to come upon the trace of it.

Bellièvre had become odious to the English court, apparently because he was conjectured to be the agent of that connexion, but still more because he had taken an active part in the negotiations with regard to the Spanish fleet, and the journey of the Elector Palatine, and seemed to be responsible for their unsuccessful issue. One day he was walking up and down in confidential conversation with the King of England, such as he had for a long time been accustomed to hold: the conversation turned on the imprisonment of the Elector Palatine; the ambassador made a proposal; the King suddenly checked himself, and said that

[1] Traduction de l'instruction du Sr. Colvil envoyé par les Seigneurs d'Ecosse: in Mazure, Histoire de la Revolution de 1688, iii. 406. The letter also is printed there, according to the copy found in the French archives.

he felt at a disadvantage in these negotiations; that the ambassador was prepared beforehand with his proposals; that he, the King, was not, and that he must ask him not to make much account of what he said to him; that if the ambassador wished to have a precise answer, he must hand him in a written question; that he should receive a written answer in return, and that this answer alone would be valid. The ambassador felt the full force of this intimation; the standing-ground upon which he had hitherto rested began to sink under him. He had certainly at one time expressed himself to the King in unfavourable terms with regard to the Queen; he now experienced a counter action from that side. The personal friends of the Queen he regarded as his enemies. These were Percy, Montague, and Jermyn, from whom he was already estranged, because they were friends of the Queen-mother. He had introduced the alliance with the Scots chiefly in order to counteract the influence which they exercised in favour of Spain. He said indeed that more was ascribed to him than he had done: that he was thought more dexterous, more active, and more dangerous than he was: but nevertheless it is apparent, if we consider his proceedings, that he had a great share in producing the growing ill-feeling between the two courts, and even in fomenting internal disputes. For not only the Scots, but all those who even in England were in opposition to the court attached themselves to him. How deep an influence can in general be exercised by the machinations of foreign ambassadors at a time of internal dissension, especially when those machinations are supported by governments of strong and well-understood political tendencies! An instance of this is afforded by the influence exercised by the Spanish ambassador at an earlier date in England, and in France itself at the time of the League. Bellièvre had acquired a position similar in kind though by no means similar in degree. But he felt that it was no longer tenable, and in January 1640 he left England.

Not until after his departure did the Scots resolve, as has been mentioned before, to send an ambassador. Notice of their intention was first sent to Bellièvre in France: but on this occasion the inquiries of the English government were

more successful than they had been before. The original of the letter addressed to Louis XIII fell into its hands: it had Colvil arrested, and some time afterwards, Loudon also, who had again come to London.

Richelieu was very fortunate in having declined to recognise the mission of Colvil. He had Bellièvre told that the French government had been wiser than he.

King Charles knew of the hostile intention of the French court: the strongest impression must have been produced on him when he now also became aware how cordially it was met on the part of the Scots. He determined to make the discovery a motive for the resistance which he wished to offer to his rebellious subjects.

CHAPTER V.

STRAFFORD AND THE SHORT PARLIAMENT.

ABOUT this time the Lord Deputy of Ireland, Thomas Viscount Wentworth, was summoned to England to take a seat in the Council of the King: the affairs of Scotland were the immediate cause of his return.

The statesmen of England have always been distinguished from those of other countries by the combination of their activity in the Council and in the Cabinet with an activity in Parliament, without which they cannot win their way into the other sphere. Wentworth, like others, had first made himself a name in Parliament as a resolute and dangerous opponent of Buckingham. But there was as yet no clear consciousness of the rule, infinitely important for the moral and political development of remarkable men, that the activity of a minister must be harmonious and consistent with his activity as a member of Parliament. In the case of Wentworth especially it is clear that he opposed the government of that day, by which he was kept down, only in order to make himself necessary to it. His natural inclination was, as he once avowed, to live, not under the frown, but under the smile of his sovereign. The words of opposition to the government had hardly died away from his lips, when, at the invitation of that government, he joined it, although no change had been introduced into its policy. He accepted the position of Lord President in the North, although the powers of this office, which transgressed the ordinary limits of jurisdiction, were repugnant to those conceptions of English law of which he had just before been

the champion. He had been trained beforehand for an office of this kind in the school of the Law Courts, principally by the proceedings of the Star Chamber, which he had attended for five years; he was afterwards for a time a Justice of the Peace, and had the reputation of knowing, perhaps better than any one in England, what was required for the exercise of that office. Nature, inclination, and ability, united in fitting him to wield authority. The Council of the North, which embraced the counties of Yorkshire, Northumberland, and Westmoreland, the bishopric of Durham, the towns of Newcastle, York, and Hull, was restored by him, in spite of all opposition, to the high position which it had possessed under the Tudors. Charles I assisted him in this enterprise by conferring fresh powers upon him. But Wentworth afterwards found a far larger arena for his activity as Lord Deputy of Ireland, where we have already met with him, and where, for the first time for centuries, obedience to the King was once more enforced. He despised the custom, adopted by former viceroys, of coming to an agreement beforehand with the native nobility about the measures that were to be taken; his only counsellors were the exigencies of the country, his only support was the royal authority itself. He derived great advantage from the exclusive possession of the initiative in Parliament, which was enjoyed by the government in Ireland: he there brought his idea of the royal prerogative into practical operation; he declared to the members without any circumlocution, that reward, or even punishment, awaited each of them according to his behaviour during the deliberations. The resolutions of Parliament served him as his instruments in ruling the country; he put an army into the field, and found means to pay it: for the first time the revenues of Ireland covered the outgoings; the island was protected from piracies by its own naval power. While he remitted many oppressive burdens in favour of the Catholics, he yet gave fresh encouragement to the Protestant Churches by the agency of learned bishops and theologians; he maintained the conformity between the Irish and English Churches, which by his decisive word he had restored. Under him justice was regularly administered, principally for the protection of the humble and weak; he considered that in his posi-

tion he was justified in directing arbitrary measures against the great, if at the same time he did not come into collision with the actual letter of the law, which he was careful not to do. The impulses of natural imperiousness he nevertheless moderated by deliberating with prudent confidants[1]. If Ireland, which needed the adjustment of internal rivalries and enmities, not by counsel but by a strong arm, had alone been concerned, Wentworth would certainly have been the right man for the government of that country; for he was, as it were, born to conduct administration according to his own judgment of what was best: he was indisputably one of the greatest of the administrators who rose up among the English before they gained possession of India. But nevertheless Ireland could only be governed on those principles which prevailed in the rest of the kingdom. What if these were in contradiction to the principles which he himself followed? The Lord Deputy was of opinion, and he thought the King's system required, that the whole realm should be governed as he governed Ireland.

Thomas Wentworth was a man of lofty stature, who although still in the full strength of manhood, already stooped as he walked. When he was seated and immersed in reflection, a cloud seemed to rest upon his face; when he raised himself and gave expression to his thoughts his countenance appeared cheerful and almost radiant: he spoke fluently and with effect; and he had the gift of quick apprehension and apt rejoinder.

In the narrow circle of persons among whom the affairs of Scotland were first debated, Laud, Wentworth, and Hamilton, the opinion was quickly arrived at, that nothing could be done without resorting to arms. But the importance of the matter made it indispensable to bring the question also before a full sitting of the Privy Council, to which all the members were summoned. Traquair was present on this oc-

[1] George Radcliffe (An Essay towards the life of my Lord Strafford, Letters app. 433) names himself, Charles Greenwood, and Christopher Wandsford as the principal counsellors. 'They met almost daily and debated all businesses and designs pro et contra.'

casion, and delivered a speech about the late proceedings in Scotland. Charles put the question, whether he should concede the demands of the Scots, which in his opinion were inconsistent with the honour of the King and the obedience due to him in temporal matters, or whether he should not rather bring back the people to their duty by force of arms. Every individual was invited to give his opinion on the subject. The Council answered unanimously that it was now advisable to have recourse to arms. But it still remained to consider how Charles should obtain the means requisite for the war; whether, on this occasion at all events, he should not seek to obtain them in the ordinary way by the help of Parliament. It seems strange at first sight that the smaller body which surrounded the King expressed itself favourably to this plan. But the necessity of such a step had been already foreseen when the King resolved not to go on from Berwick into Scotland; for the most important turns are given to affairs at a few decisive moments. Hamilton had at that time already remarked that the King would be obliged to employ force, and to claim a grant of Parliament for that purpose[1]. Yet the royal councillors did not intend thereby to make themselves entirely dependent on the opinion of Parliament. On the contrary, they definitely set before themselves the possibility that Parliament might refuse its assistance. And perhaps they looked forward with no great anxiety to an unfavourable result. They were of opinion that in such a case the King would be justified in the eyes of God and man, if he had recourse to the extraordinary means which he was still trying to avoid.

The summoning of a Parliament was also approved at a meeting of the Privy Council: the anticipation was expressed that Parliament would take the honour of the King into consideration, and would provide him with the necessary subsidies. The King, who knew the temper of the people, was not satisfied with this conclusion: he put forward the possibility that Parliament might perhaps even oppose his

[1] Hamilton's Advise, July 5. 'If the kingly way be taken,—how money may be levied—and if that be feasible without a parliament.' Burnet 145.

wishes, and he submitted to the assembled Councillors the question whether in such a case they would support him in resorting to extraordinary means. They unanimously and cheerfully declared 'that in such case they would assist him with their lives and fortunes, in such extraordinary way, as should be advised and found best for the preservation of his state and government[1].' On this the King gave out that he would summon the English Parliament for the ensuing 13th of April.

The prospect of a successful issue of the negotiations with Parliament was not perhaps in the first instance altogether hopeless. Some old members gave an assurance that the House of Commons would on this occasion remain within its proper limits, and would agree to the necessary grants. Some effect was expected from the impression which the connexion between the Scots and the French, that was by degrees coming to light, could not fail to produce upon Englishmen of the genuine old stamp. The Puritans themselves had been put into an ill humour with the French and their selfish policy by the imprisonment of the Elector Palatine, from whose appearance in Germany they had expected great things. People had said that in the next war the English arms might be turned against France as easily as against Scotland[2]; and the Queen, at all events, had now no objection to such a measure. She had been formerly an opponent of Wentworth, whose ambition had been represented to her as dangerous; she was now one of his admirers, as were also her friends the Countess of Carlisle and the Duchess of Chevreuse. The most influential members of her household, her intimate friends Jermyn and Montague, passed for the most decided adversaries of the French. Yet there were some who adhered to their side: the Earl of Holland would not be deterred from visiting Bellièvre, even when he lay under the displeasure of the court; but he and his friends feared for the results of the next Parliament. They thought that the

[1] Windebank to Hoxton, Dec. 14: Clarendon Papers ii. 82.

[2] Hugo Grotius, Dec. 1639: 'In Anglia arma parantur, in Scotos an in Gallos ambiguis conjecturis' (589).

dominant party had laid their plans so well that they would maintain their ascendancy [1]: that the King would allow only the affairs of Scotland and the imprisonment of the Elector to be brought under discussion: that his design was to hold a Parliament according to his own views, and after his own fashion, and to become more powerful by its assistance than any of his ancestors had ever been. It was thought that the opposite party had already resolved, if all went well, not to spare the heads of their opponents.

The opposition of religious opinions, the great European interests at stake, and the most important questions of internal policy, were mixed up with the quarrels of persons in high positions, who, in the event of a political defeat, would, according to old English custom, have to fear even for their lives.

The King had resolved that an Irish Parliament should precede the sitting of Parliament in England. Wentworth, who was not until now raised to a rank fully equal to his position, was nominated Lord Lieutenant in Ireland, and at the same time was made Earl of Strafford, which was the name of the wapentake in which Wentworth-Wodehouse was situated, where his ancestors had resided since the Conquest. He had now to go over to Ireland once more, in order to bring matters there to a successful issue.

He fully realised to himself the importance, the difficulty, and even the danger of his position.

In his gratitude for his promotion in rank he once more expressed the opinion that the kingship was an image of the Divine Majesty. After his journey to Ireland, where he had to endure an attack of gout, he writes that whether in health or suffering, whether lame or blind, he would at all times be found faithful to the service of his lord. He promises to be back in England at the opening of Parliament, even if he should be tormented with pain, even though he might have to expect to find his most violent enemies in that body; but he

[1] Bellièvre: 'Quelques uns de ceux, qui ont connaissance des desseins du roi, qui peutêtre seroient bien aisés qu'ils ne réussissent pas, m'ont dit, qu'ils sont si bien projetés qu'il y a grande apparence, qu'il vienne à bout de son entreprise.'

strongly urges that everything should meanwhile be carefully prepared beforehand in England as well as in Ireland, and especially that the raising of troops, which had been resolved on, should not be delayed. 'For that this work before us,' he says, 'should it miscarry, we are all like to be very miserable: but carried through advisedly and gallantly, it shall by God's blessing set us in safety and peace for our lives after, nay, in probability, the generations that are to succeed us. Fi a faute de courage: je n'en ay que trop. What might I be with my legs that am so brave without the use of them[1].'

In Ireland the Lord Lieutenant easily attained his object. On March 23, the very same day on which he invoked the loyalty of the King's Irish subjects against the Scottish Covenanters, whose designs he declared to be detestable, the Irish granted four subsidies, adding that they were ready, in case the war continued, to devote all their possessions, and even their persons, to the service of the King. Further measures were taken to equip an army of 8000 men, with cavalry and artillery. Thus, after a stay of fourteen days, in which he had successfully executed his plans, Strafford recrossed St. George's Channel.

At the English Court meanwhile negotiations with the Scots had been resumed, but the commission appointed by the King to manage the affair decided that, if Scotland did not first of all acknowledge both those rights, without which no supreme authority could exist, namely, the right of convening and dissolving deliberative assemblies in Church and State, as well as of vetoing any measure proposed in these assemblies, no further negotiation could be carried on with that country. Strafford, successful and full of conscious pride in consequence of his success in Ireland, thought that matters had been so skilfully arranged that the Scottish war would be ended as soon as begun, and that the Earl of Argyle would sell his cause at a cheap price.

The eyes of every one in the three kingdoms were now turned upon the English Parliament, to which the question was submitted, whether it would support its sovereign in his position

[1] March 16, 1639/40. Letters ii. 394.

in Europe, and, above all, maintain him in his sovereignty over Scotland, or whether it would, on the contrary, attempt to give effect to its own ancient but hitherto repressed claims.

On April 13/23, 1640, the Parliament, as had been announced, was opened. The Lord Keeper above all things set before them the necessity of giving the King assistance against the Scots. He read the despatch of the six Scottish nobles already referred to, by which Colvil had been accredited at the court of the King of France, whom in the despatch, after French fashion, they simply called 'The King.' Charles I himself added a few words on the matter. The Lord Keeper's proposal aimed at securing an immediate grant of adequate subsidies; without this, it was said, the war could not be conducted, and yet it must be waged in the following summer. A formal approval of tonnage and poundage which the King, under the pressure of necessity, had hitherto collected without approval, was also now proposed. If these grants should be made, which the King regarded as a pledge of the affection and loyalty of his subjects, he would prove himself on his part, it was said, a just, gentle, and gracious sovereign; then, and not till then, might petitions directed to promote the welfare of England be brought under discussion, and the King would then co-operate with Parliament to the advantage of the country.

It was intended that, before any further discussion of the questions of domestic policy at issue, the King should be placed by means of copious subsidies in a position to revive the royal authority which had been shaken in Scotland, and, in consequence, everywhere else as well.

It is evident however that the English Parliament could not be moved to adopt such a course. In the elections the government had been again as unsuccessful on this occasion as it had been ten or twelve years before. The boroughs had the preponderance at the elections, and in the boroughs the party devoted to the Presbyterian and Parliamentary cause were in the ascendant. The oppression of the system previously pursued, and the apprehension of worse consequences, had necessarily led to this result. We learn that even in Westminster the King failed to procure a seat in the House

of Commons for a confidential servant of his court: supporters of the Opposition were elected under his very eyes [1].

A disadvantageous influence had been exercised from the very first by the reappearance of the man who had given occasion to the last violent scenes in the year 1629, and who was in ill repute with every one—John Finch, who now came forward as Lord Keeper. His appearance awakened the old controversies and the old hatred.

And moreover the disloyalty of the Scots failed to produce so great an impression as was expected, because it was partly a result of the religious conflict. France was regarded as the protector of Protestantism, which, on the contrary, was in danger from a King who belonged to it. The French government had not been slow to release the Elector Palatine from prison, on the receipt of the warning which was addressed to it; it had removed this cause of offence as well as others, and in both Houses of Parliament it reckoned decided partisans.

Thus it came to pass that Charles I was encountered in the Parliament of 1640 by an opposition no less resolute than that which had led to the dissolution of the Parliament of 1629.

The very first speaker who made himself heard, Grimstone, set off domestic grievances against the complaints which the King made of the Scots; he dwelt above all on the infringement of the obligations undertaken by the acceptance of the Petition of Right. He said that freedom and property had been shaken, the Church thrown into confusion, and the true religion even persecuted. While appealing for support to a passage of the Bible he gave utterance to the significant opinion that men ought to enquire how this result had come to pass, and who had given the advice which had brought it about.

Then rose up John Pym, the man of all others in that assembly in whom the union of Puritan and Parliamentary principles was most clearly displayed. He had drawn up for himself a list of the grievances, which he now set forth, with

[1] Depêche de Montereuil, 15 Mars. 'Après un long débat deux propriétaires de fort basse condition ont été élus par le peuple.'

methodical and almost scholastic accuracy, but with clear vision, and not without statesmanlike insight. He gave especial prominence to the religious grievances, to the failure in executing the ancient laws in consequence of which men of the Catholic faith were placed in positions of trust and power, and to the presence of a Papal Resident in England, who, he said, was only carrying into execution what a congregation sitting at Rome was devising for the conversion of England. It was necessary, he affirmed, to consider the Papacy in its connexion with the other states which it governed, as the sun governs the course of the planets; he thought it was intended that England also should be torn from her proper path and subjected to the same influence[1].

To this origin—for everything, he said, had its source—most of the abuses were then referred by him and by others; especially the suspension of the sittings of Parliament, and the attacks made on private property by the collection of taxes which had not been granted, measures intended to relieve the government from any need of convening that body[2].

The various complaints of a similar nature which came in from every county and every class made all the stronger impression, as they were also based on the ground of a general danger to the religion 'which was professed according to the law of God and the law of the land.'

These all showed the same conception of the King's intentions as that entertained by the Scots, although much more moderately expressed; yet, for all that, it cannot be accepted as resting on an historical basis. The efforts of the government certainly proceeded from one fundamental design, but this was the design of uniting the three kingdoms in a like obedience, not by the acceptance of Catholicism,

[1] A more accurate draught of Pym's speech than that given by Rushworth is found in the State Paper Office: the speech is there assigned to April 17. The draught which is the basis of Forster's account (Statesmen iii. 89) seems to be a later amplification.

[2] Speech of Rouse, which I do not find noticed in Rushworth or in the Parliamentary History: 'The root of all our grievances I think to be the endeavour of union betwixt us and Rome.'

but only by more lenient treatment of it; according to the King's idea, Great Britain far from again becoming a satellite of the Papacy, was, on the contrary, to describe its own course as an independent portion of the universe, while external influence was to be neutralised. But nevertheless Pym's assertions made a great impression even in England. In the religious conflict which filled the world neutrality might well seem to be partiality to one side; the danger lay, not merely in the intention of the ruler, but in the nature of things, which often exercises an influence even beyond that of individuals.

The controversy was connected with a question which has always been one of the most important in those countries which have a highly developed representative constitution. When, on April 23, at the wish of the government the proposal was made to allow the granting of subsidies to precede the discussion of grievances, this proposal, after long debate, was rejected in the House of Commons; it was thought that it ought not to set so bad an example to posterity. The House came to a resolution to grant no money, unless it received at all events simultaneously the definite assurance of redress on those three points under which all others were comprised—security for religion, for property, and for Parliamentary liberties.

By this resolution the House of Commons at once placed itself in opposition to the intentions of the government, which required grants of money without delay. For what a wide prospect must have been opened by the discussion of these points even in a friendly and indulgent spirit! On the evening of the same day a meeting of the Privy Council was held, and, at Strafford's proposal, although not without opposition, a resolution was taken to bring the matter before the House of Lords. Not that the power of granting subsidies was ascribed to that House; the formal question was laid before it, whether the King ought first to give satisfaction to his subjects, or to expect satisfaction from them[1]. In the

[1] Parliament Journal, 16 Caroli, 23 Ap.: 'The house sat till 3 o'cl. in the afternoon debating the question, whether to give subsidies before a redress of grievances or after. Concluded that the example was dangerous to posterity. The King and Lords had conference about at 8 o'cl.' (St. P. O.)

House of Lords a tendency in favour of the opposition was not wanting: the Earls of Southampton and Rutland, and Lords Say and Brooke were against the King's proposal. But the majority were still decidedly in favour of the government; and a resolution was passed that the satisfaction to be given to the King must precede the discussion of grievances[1]. The members of Convocation without waiting any longer granted the King six subsidies. The House of Commons in great excitement remarked that its rights were thereby trenched upon, as the granting of subsidies belonged to that House alone[2]. Hereon the House of Lords once more took the matter into consideration on the 29th of April; but on a second division they arrived at just the same result as before. The Lords again took the side of the government by a majority of twenty votes.

The King considered this an important advantage, and Strafford as the only man whose advice he could follow. He said to him that he had more confidence in him than in all the Privy Council together, and the Queen spoke of him as her husband's most capable and trustworthy minister.

With renewed hopes of a favourable issue, especially as the Lords had explained their views at full length to the Commons, the King had his proposal again brought before the latter House a few days afterwards by the Treasurer of the royal household, Sir Henry Vane. In the sketch of the message to be submitted to it, very strong expressions were originally inserted with regard to the delay of the grant, which was represented as unprecedented in such a case; the King, however, for fear of making bad blood, had struck them out with his own hand. The Treasurer merely represented in the most urgent terms the necessity of the grant, without which, he said, the honour of the King and of the State would be in danger; delay in this matter was no less pernicious than

[1] Dépêche de Montereuil, 1/10 Mai. 'Le Lieutenant d'Yrland l'emporta contre l'avis de plusieurs': the only information about this affair which I can find.

[2] Parliament Journal. 'That it was a tranching on the priviledges of the house of commons from the upper house, to chaulke them a way to give supplies first and then to redress grievances; that the honour and thank belongs to them for the subsidies and not to the upper house.'

a refusal[1]. The subject was again taken into consideration at once; it continued to be the unaltered feeling of the House that the removal of grievances in Church and State must first be taken in hand; its answer however was still kept back.

At the court it was thought that a grant might still be obtained, at all events by the offer of concessions; and the King had a declaration made that he would give up ship-money if twelve subsidies were promised him. It was not the sum which people would have had to pay that kept them from accepting this offer. The Speaker, Sergeant Glanville, who rose to address the House, (the debate was being carried on in Committee,) calculated, judging from his own case, that the tax would not fall very heavily on each individual, but he did not for that reason advise Parliament to accede to the offer; for, as he affirmed, this would be to acknowledge the payment of ship-money as binding, and would indirectly be authorising it. Glanville was regarded as one of the greatest authorities upon legal questions; and a deep impression was made by his declaration that ship-money was against the laws, if he understood anything about them. Others suggested other motives besides, but the legal point was decisive. Sir Henry Vane, when he came out of the House, told the King that he ought not to reckon upon obtaining any grant.

That this was in fact the case is not quite certain; but such was the impression which was made by the proceedings. The government thought they had tangible proof that Parliament would grant the King no subsidies, or, at all events, would grant them only under such conditions as ran counter to his system of government. It would not content itself with any mere removal of grievances by the act of the sovereign, for it thought that the interference of Parliament was necessary for the cure of national evils: the King was

[1] Speech in Rushworth iii. 1153. Parl. Hist. viii. 467. The original words were 'His Majesty cannot but resent it, as that which per adventure is without any precedent of such behaviour from subjects to the King, and not suitable to that antient reverence and duty formerly paid by the house of commons to the crown in the cases of this nature.'

to be pledged for ever to abide by parliamentary procedure. The King found himself not merely forsaken but threatened with further demonstrations; he did not hesitate, before such demonstrations were actually made, to declare the dissolution of this Parliament, as he had that of others[1] (May 5, 1640).

This was a decision of all the more importance inasmuch as no resolutions of Parliament, properly speaking, had yet been arrived at; and another decision of no less consequence, with reference to the resumption of the Scottish war, immediately followed. In the Commission appointed to consider the subject attention had indeed been called to the insufficiency of the means available for the support of an offensive war; the question was asked, whether it would not be better in the first instance to leave the Scots alone. But, as we know, the leading men had already prepared themselves for an unfavourable issue of the deliberations of Parliament, and had determined not to allow themselves to be thwarted on that account. The Lord Lieutenant of Ireland encouraged the King to proceed boldly. He said that a merely defensive attitude would diminish his reputation; that he would exhaust and weaken himself, and would stand, as it were, between Saul and David; that no long time could elapse before England rose to support him. He said that an offensive war had been already decided on; that the King should undertake it; that, as Parliament refused its assistance, he was justified in the sight of God and man if, under the pressure of these circumstances, he should seize every other means which lay within the grasp of his power; that he had an army in Ireland of which he could avail himself; that Scotland could be subdued in a single summer. Were it his own affair, he added, he would make the venture; he would either carry it through or lose everything in the attempt. Archbishop Laud supported the views of the Lord Lieutenant; he said that every means had been tried, and all had failed;

[1] 'For preventing quhairoff [that is to say, one of these declarations] the parliament was broken up.' So it runs in the Scottish Declaration in Spalding i. 328.

that if people would not grant the King what according to God's law was his due, he had the right to take it. Cottington not only warmly agreed with Laud, but also added as a general reason for action that the House of Commons looked forward to getting rid of the monarchy as well as of the Episcopal Church [1]. If he meant a definitely entertained design, there was as little truth in his statement as there was in attributing to the King the intention of becoming a Catholic. Men on either side, judging from what has occurred, attribute to the opposite party the intentions which are most offensive to themselves.

On this the principle of parliamentary and military, or, which is much the same, of limited and absolute monarchy, once more came into conflict with one another in the King's Privy Council. The latter obtained a complete ascendancy.

The alliance between Scotland and a foreign power was thought to remove all doubts regarding its treatment; it was therefore to be attacked by sea and land at once, from the side both of England and Ireland, with all the strength which the Crown, unaided by Parliament, had remaining to it. The militia of the country had already been called out for that object. It was intended that part of the expense should be defrayed by the contributions of the Lords, which proved very considerable, and by those of the clergy [2]. Two days after the dissolution of Parliament the assembled Privy Council embraced the resolution of calling the High Sheriffs of eight counties, among which were Middlesex, Yorkshire and Essex, to account for having improperly neglected to collect the ship-money; they were to be dealt with straightway, without regard for their rank, and to be treated according to their deserts. A command was issued to the Lord Lieutenant of Norfolk to punish with imprisonment all

[1] The protocol of this sitting, which was destined to exercise so great an influence, is printed in Nalson ii. 208. In the State Paper Office the original document exists among Vane's papers: there is some doubt however about the right reading.

[2] Giustiniano, 25 Maggio: 'Il re continua nella stabilita resolutione di volere con il mezzo della forza cavare de popoli le contributioni necessarie per sostenere la guerra contra la Scotia.' Cp. Rushworth iii. 1173, 1179.

men of any position who had shown themselves contumacious during the levy and on the march of the troops. Fresh negotiations were begun with a view to obtaining a loan from Spain. It was also suggested that the silver lying in the Tower might be coined to more advantage than before. Strafford laid before the Council a memorial about the French practice of raising forced loans from the wealthy, and advised imitation of that practice.

Can we be surprised if the opinion gained ground that the war against Scotland, which was not in itself necessary, was intended to serve as a means of introducing absolute monarchy on the French and Spanish model into England also. Without doubt men like Strafford, Laud, Cottington, and the King himself, thought of realising, despite of all opposition in England and Scotland, the ideal of a monarchy resting on a spiritual basis.

A document is extant which indisputably sets forth this intention. This is the Book of Canons, drawn up in the Convocation of the clergy, which held its deliberations at the same time as the Parliament. In this book a theory as to the royal authority, not very unlike the views which Richelieu and his adherents were then contending for in France, was strongly asserted as the doctrine of the Church. It is therein said that the monarchy is the highest and most sacred Estate, is of divine right, is expressly instituted in the Old and New Testament for ruling over every one, of whatever rank and position he might be, and is entrusted even with the supreme government of the Church. Whoever wished to set up a power independent of the King's, whether of Papal or popular character, thereby placed himself, it was said, in opposition to the Divine ordinance[1]: it was consonant with the law of nature, the law of nations, and the law of God, that people should repay the protection which they enjoyed from the King with tribute, tolls, and subsidies: for them to bear arms against the King, not merely in order to attack him, but even

[1] 'To set up, maintain, or avow, in any of their realms any independent coactive power, either papal or popular, whether directly or indirectly, is to undermine their great royal office.'

in order to defend themselves against him, was to resist the ordinance of God. These views, which condemned the resistance of the Scots, as well as the agitation of the popular spirit in England, were proclaimed as the doctrines of the Church; and an oath in keeping with them was imposed on the clergy and on the graduates of the universities.

The ecclesiastical ideas of Laud, and the political ideas of Strafford, were in complete harmony with one another. Though it was perhaps still possible to unite a form of parliamentary government with the monarchy, such as they would have made it, yet the former could only have been such as would have been unconditionally subservient to the views of the crown, and would have regarded their promotion as its own province.

Strafford and Laud were still determined to carry these plans into execution, and that, in the first instance, by means of the war in Scotland; and without being really conscious of the powerful forces which were opposed to them, they cherished the confident hope of succeeding in their attempt.

CHAPTER VI.

THE SCOTS IN ENGLAND.

As early as March 1640, on the receipt of the first intelligence of the warlike designs of Charles I, the Scots had resolved to renew their preparations for war. Lesley and the other commanders were confirmed in their posts: in every county people began to arm. Hostilities again broke out between the castle and the town of Edinburgh: but Ruthven did not allow himself to be overpowered as easily as his predecessor had been. When an attack was made upon him he replied to it by an artillery fire from the walls.

While shots were being exchanged, and men on both sides were falling, the Scottish Parliament reassembled on June 2. Its proceedings could not fail to breathe a similar tone of hostility. It met without the presence of the King or of his commissioner; as men observed with astonishment 'without sword, sceptre, and crown.' In place of the commissioner the Parliament established a president of its own, elected from among its members. The session lasted only eight days; but it was said that for six centuries there had been no Parliament more remarkable and more thoroughgoing. Those resolutions were repeated, and even enlarged, which had been adopted in the last session before it was interrupted by adjournment, and to which the King had refused his consent. Though hitherto the clergy had taken a high place in the constitutions of all European kingdoms, even in Northern and German countries in spite of the Reformation, yet in Scotland it was resolved that this order should no longer be represented in Parliament. In its room the gentry appeared as the third order, standing between the nobles and the citizens: they

took definitive possession, as before mentioned, of the political influence which they had won for themselves in the late commotions. In this new form, so it was enacted, Parliament was to be held every three years[1]: proclamations which ran counter to the laws and liberties of the Parliament were to be forbidden under the penalties attached to high treason: only natives, and moreover only those natives who were disposed to protect the reformed religion in the shape in which it had been established, and to maintain the union between King and people, were to be appointed to the command of the three strong castles of Edinburgh, Stirling, and Dumbarton. Such further changes were introduced into the resolutions as made it necessary that the most important military commands should be filled according to the wish of the Estates. The clergy were also excluded from the Courts of Justice; for people did not wish that an order, which had shown itself so amenable to the influence exercised on it by the crown, should be seen exercising any political functions. The inferior clergy were quite content with this, as the continuance of their Assemblies and the independence of their jurisdiction was expressly secured to them. The monarchy was certainly allowed to remain, but care was taken to surround it with independent powers, which took away from it the substance of its authority. The Parliament authorised the Committee of the Estates, which was already appointed, to carry on the government. This committee was so composed that the resolutions always conformed to the wishes and proposals of the leading men, especially of Argyle, who was considered even then as the most important person of all, though he was not himself one of the members.

We should mistake the feelings of the Scots, if we assumed that these arrangements had been approved by every one. Even Thomas Hope, the King's Advocate, who had at first so entirely concurred in the movement, warned the Earl of Rothes not to go so far as to give the King good ground for

[1] 'Sexte acte rescissory—it rescindes all former actes of parliament, which grantes to the kirk or kirkmen the priviledge of ryding and wotting in parliament;—nynthe acte called statutarie, ordaining parliaments to be holdin every three yeires.' Balfour, Annals ii. 376.

saying to other sovereigns that people in Scotland had an eye, not so much to religion, as to the abolition of the monarchy. Hope told the Earl that they ought to strengthen their religion, that they should then see what he would do or suffer in its behalf, but that in matters of civil government they must not reckon on his going with them. The same views were entertained by many other of the more reflecting spirits among the clergy and scholars. The government had thought it necessary to appoint as Professors in the Universities men who shared its tendencies, and knew how to gain acceptance for them in the minds of the young. These regulations did not enjoy entire popularity. While in the English Parliament the boroughs returned a majority, in Scotland the gentry had an ascendancy by which the commons, at first at all events, felt themselves oppressed[1]. And meanwhile the Covenant was not yet by any means everywhere accepted. Those counties that repudiated it even made attacks upon others which had submitted: the old Scottish lawlessness and desire for plunder now availed itself of religious pretexts. A small army was required to be permanently in the field in order to extinguish the flames of revolt which kept flickering here and there. In the minds of many of the great men who concurred in the religious demands of their countrymen, their political demands awakened all the more opposition because their rivals were just the people who derived advantage from the new constitution; or else in fact feelings of loyal devotion to the King awoke in them; they did not wish to allow the crown to be robbed of all its splendour and all its power.

One might almost wonder that the dominant party was still in such good spirits.

For even the arming which had been determined on proceeded but slowly; it appeared hardly possible to collect a serviceable body of cavalry. A tithe-penny had been laid upon property; but in order to collect it a valuation of property would have been necessary, and hence a great difficulty arose. From the first extreme measures were necessary; for

[1] 'The commons are slaves to the gentry.' Hardwicke Papers ii. 143.

example, the exaction from private individuals of the silver they had in use, under a guarantee of making good its value. But, as Baillie says, what was all that compared with the requirements of the army, for which 20,000 marks were daily needed? And what would ultimately happen, when Scotland was entirely cut off on the side of Ireland and England from its maritime commerce, as was intended? The resolutions of the English Privy Council and of the Irish Parliament created a great impression among the Scots.

A much greater impression however was now created by the proceedings of the English Parliament.

It has been always assumed that the Scots were strengthened in their attitude and induced to determine on advancing into England by overtures from English peers in the ranks of the opposition. And there is no doubt that invitations of this kind reached them.

Lord Loudon, the man who had first formed a connexion with the French, and who was one of those who had signed the letter to the King of France already referred to, had been thrown into the Tower immediately before the opening of Parliament; but he there received visits from English peers, and among others from Lord Savile. The Saviles were old opponents of the Wentworths: their families imported their county quarrels into public affairs. It was indeed by the favour shown to a Savile at one time that Wentworth had been driven into the ranks of the opposition. The high position to which, on the other hand, a Wentworth now rose, may have contributed to turn Lord Savile into an opponent of the whole system[1]. So far as we know, he is the man through whom it was intimated to Loudon as the wish of some English lords, that the Scots should advance on England with their army. Shortly after the dissolution of Parliament, Loudon received permission to return to Scotland[2]: he immediately

[1] The statement given by Sanford in his 'Studies and Illustrations of the Great Rebellion' 170, as a 'new account,' and attributed to Lord Falkland, has already been printed in Nalson ii. 477. It is a fragment from the Memoirs of Lord Manchester, the complete publication of which is much to be desired.

[2] Montereuil, July 12. 'Il s'est engagé de faire beaucoup de choses; le Marquis d'Hamilton, dont il est parent, a été le premier auteur de sa liberté.'

sought out Argyle, who was still stationed with his small army in the North, in order to apprise him of the position of affairs. But it was not possible that the expressions of a peer, who was not even one of the most important members of his order, should afford sufficient security. Then Savile, who had always affirmed that he was the spokesman of many other nobles and gentlemen, sent in a declaration on the part of some others of great name, the Earls of Warwick and Essex, Lords Say, Brooke, and Mandeville, in which the Scots were invited to cross over into England. The genuineness of the signatures was denied afterwards in terms, the truth of which can hardly be called in question. The Scots however at that time could entertain no suspicion of deception. And this invitation undoubtedly produced a great impression upon them, as they could now venture to count upon the support of a considerable portion of the House of Lords.

But the attitude of the House of Commons no doubt supplied them with the principal motive for their decisions. As the Scots affirm in their manifesto, after they had been proclaimed as rebels in every parish church, the English Parliamen—convoked with the sole purpose of supporting a war against them—could not be moved by any threatenings, fears, promises, or hopes, to grant any subsidies for the war, but had rather undertaken to justify the Scots by parallel complaints and statements of grievances. The Scots now laid the greatest emphasis upon the coincidence of the interests of both realms. The only design of both kingdoms, they said, was the maintenance of true religion, and of the just liberties of the subject; but the King was surrounded by a faction which was endeavouring to set up superstition and bondage in place of religion: it was intended by the war against the Scots to stir up the English against them that they might with their own swords extirpate their own religion; set up a new Rome in their midst, and establish the slavery of both countries for ever. With such adversaries no agreement could be concluded: no just desires were listened to by them: to sit still and wait their hostility would be contrary to sense and religion: they themselves, the Scots, were determined to seek in England their own peace, the maintenance of their

laws, and the punishment of the enemies of both kingdoms. It might perhaps be doubtful whether it was warrantable for them to advance into England, but there was a necessity which justified proceedings of this sort, and constituted a law above all laws. 'The question is not,' they say, 'whether we shall content ourselves with our own poverty, or enrich ourselves in England: that question is impious and absurd. But this is the question, whether it be wisdome and piety to keep ourselves within the Borders till our throats be cut, and our Religion, Lawes, and Countrey be destroyed; or shall wee bestirre ourselves and seeke our Safeguard, Peace, and Liberty in England. Or shall we fold our hands, and waite for the perfect slavery of our selves, and our posterity in our Souls, Bodies, and Estates, and (which is all one) foolishly to stand to our defence where we know it is impossible; or shall we seek our reliefe in following the calling of God (for our necessity can be interpreted to be no lesse), and entering by the doore which his providence hath opened unto us, when all wayes are stopped beside?' They do not enter into a full statement of the innovations which had been undertaken in their Parliament; they hardly touch upon them; they bring into prominence only the great questions from which everything had sprung, and they express the hope that England will sympathise with them in the stress of affairs which compelled them to overstep their borders, and will aid them in the measures which they are taking to obtain their just desires. They promise that in their advance they will exact nothing by force: but should their resources be exhausted they reckon upon the support of the English [1].

This lofty mode of expression, to which a certain amount of truth cannot be denied, accounts for the silence of all opposition, at all events in those circles which had attached themselves to the religious cause for which the Scots contended. In the army moreover there were men serving who did not wish to see the monarchy put down. In all the churches

[1] The intentions of the army of the Kingdome of Scotland declaired to their Brethren of England; by the Commissioners of the late Parliament, and by the Generall, Noblemen, Barons and others, Officers of the Army. In Spalding i. 321.

prayers were offered for the General, who purposed to go to England with his army, and to confer with the King.

In the latter half of July, the army mustered at Cheslaw Wood, near Dunse; one half of the Committee of Estates was to accompany it, the other half was to remain behind. It was not intended to take Highlanders across the border. Argyle led his own men into the field against the Ogilvies and the district of Athol, where the opposition was kept up. It was not until August 18 that the army broke up from the place of rendezvous. There may have been somewhat over 20,000 men: with the native leaders of high rank there were associated a number of captains who had gained experience in the German war, and who maintained military discipline. Lesley, who was connected with the former by political sympathies, and with the latter by common service in past time, was again invested with the supreme command.

Two days afterwards the Scots crossed the river Tweed, the boundary between the two countries. The cavalry halted in the water, in order to break the force of the stream, while the infantry waded across. Montrose dismounted from his horse, and marched over at the head of his regiment; he was the first of them all to tread on English soil.

The Scots did not find any dispositions made to meet them at the border; they advanced into Northumberland without opposition. It was only on arriving at the fords of the Tyne that they came upon a couple of breastworks upon which cannon were planted. They set up a camp, around which hundreds of coal-fires illuminated the horizon; they still however refrained from making any attack.

The engagement which then ensued is characteristic of the state of feeling. On the morning of the 28th a Scottish officer, wearing a hat with a black feather, rode his horse to the Tyne, in order to water it. An English musketeer, seeing the Scot fix his eye upon the breastworks, could not resist the temptation; he aimed well, and the officer fell wounded from his horse. Upon this the Scottish musketeers opened fire in return; both sides discharged their artillery upon their opponents. But the camp of the Scots was in a higher and stronger position than that of the English; they had also,

without doubt, more practised artillerymen, and the English found themselves outmatched. But this was quite enough to bring the matter to a crisis. The English troops in the entrenchments complained that they had not been relieved from Newcastle as they should have been; they murmured that they were expected to do double duty. But they did not give vent to their discontent in words alone. They gave ear for a few minutes longer to the exhortations of their commander; but when they found that they had the worst of it, and were in danger from the Scottish artillery, they immediately abandoned their works and threw away their weapons, not so much from cowardice as from ill-humour excited by the war and the bad arrangements which had been made. On this the Scots, both horse and foot, under cover of their cannon, crossed the Tyne. The English were then completely driven from all their positions. On the next morning Lord Conway abandoned Newcastle[1].

Not less significant was the manner in which this town was taken possession of by the Scots, into whose hands, on the retreat of the troops, it inevitably fell.

The leader of a troop of Scots, James Douglas, on approaching the town found the magistrates at the bridge. He told them that the Scots were come to speak with their gracious King; that they carried in one hand a petition in favour of their rights and religion, in the other the sword, in order to defend themselves against the enemies who placed themselves between them and their King; that their hope was that their brethren of Newcastle would unite themselves with them for the advantage of both churches and kingdoms, and would, in the first place, allow them supplies of provisions and ammunition. The mayor and aldermen observed that such conduct was against their duty; and that as the Scots were subjects of the same sovereign as themselves, they hoped that no violence would be employed against them. The Scots replied that that would certainly be unavoidable if their requirements were not voluntarily satisfied. On the next day

[1] Original information in Rushworth (who was himself in the English camp) iii. 1238.

they occupied the gates of the town, and encamped their cavalry in them, while the infantry entrenched themselves upon the neighbouring heights. They first took provisions and munitions of war from the royal magazines; they then made out a requisition; the inhabitants were compelled to accept the Covenant, notwithstanding the fact that they were Englishmen; whoever opposed them was treated as a public enemy.

It was remarked as a flagrant inconsistency in the conduct of the Scots, that they continued to pray for the King in their public worship, while at the same time they prayed for the army which was advancing into the field against him. But the whole nature of their rising was involved in the same contradiction. While they were pressing forward into England with arms in their hands, and were taking up a strong position there, they still kept affirming that they were loyal subjects, as their demands were founded on the laws, and that even now they prayed for nothing but that the King should take these demands into consideration and grant them.

The royal army had meanwhile assembled in York. The Earl of Strafford, who had undertaken the command, together with the King, who himself was present with it, even appeared not displeased to see the Scots invade England, as he thought that such a proceeding would serve to rouse the old English feeling of hatred against them. He reminded the gentry of York of the old wars, of which the present was, he said, merely a repetition: he said that religion was only a pretext with the Scots; that their object was rebellion and invasion. He declared that the law of nature, reason, and the law of England demanded that they should support the King with their persons and property against them; to deny this would be ignorance, to hesitate would be little less than treachery. He added, that they ought not to allow the Scots to taste the superior advantages of the English soil; that they must attach themselves to the King's cause, or run the risk of losing everything[1].

[1] The Earls of Strafford Speech: 'You are no better than beasts if you refuse in this case to attend the King.' In Rushworth iii. 1235.

Strafford obstinately persisted in the line of policy which he had once taken up. He persisted in attributing to the Scots those very intentions of which they declared their horror. Even in the proclamation of the King the enterprise of the Scots was described as a raid of freebooters, after the fashion of former centuries[1]. The spiritual and temporal lords were summoned in the style of former ages, to join the King's standard with the followers whom they were bound to bring.

Strafford still hoped to put down the opponents of the sovereign authority in both countries. He thought to bring the strength of England into the field by the means which formerly had been at the service of the crown; he intended that the very revolt of the Scots should help him to subdue them. A new battle of Flodden Field would have restored the monarchy as it once existed, on both sides of the border.

No one will make any very heavy political charge against Strafford on the score of his government of Ireland, or of the partisan attitude which he had taken up in the intestine struggle in England in general; for the ideas for which he contended were as much to be found in the past history of England as were those which he attacked. His royalist principles are not without basis and elevation; he at all events had no conscious intention of proceeding to employ illegal violence. The greatest blame which falls upon him is incurred by his behaviour during these days; his mistake lay in wishing to treat England in the same way as Ireland: but a past success is an evil counsellor under circumstances which are entirely different; both he and his sovereign were deficient in the sense of what was practicable in England. While they in their zeal were proceeding to the most extreme assertion of the prerogative for which old precedent could be found, they were placed in a position where such an assertion could no longer be made with effect. For whatever may be the nature of laws, they never can be executed unless, to a certain extent, they are voluntarily accepted. Strafford's most imprudent act

[1] 'Cum quidam rebelles regni nostri Scotiae regnum nostrum Angliae cum posse non modico hostiliter ingressi sunt.' From the King's proclamation, in Rushworth.

was the prosecution of the war against Scotland, after Parliament had refused to grant the subsidies necessary for that object. However large the sums which the Lords might contribute in accordance with the pledge which they had given, it was clear that these would not suffice to carry on a great war. But what resources were left when these were exhausted?

In that case the King would have to depend principally on the city of London. But this was the very place in which the dominant system had provoked the greatest discontent: nowhere were there more staunch supporters of parliamentary government. A proof of this assertion may be found in the tumult which broke out in the capital after the last dissolution of Parliament, and was directed against the Archbishop of Canterbury, who was threatened with death by an excited multitude. These disturbances had been quieted and their promoters punished; but placards were constantly put up indicative of the same feelings. For a long time the Archbishop did not venture to return to Lambeth; he considered himself secure only in the King's palaces. The middle classes were excited rather than disposed to compliance by a threat, which Strafford held out, of attaching the silver in the Tower, or of raising the value of the currency. The Lord Mayor and Aldermen refused the King a loan which he requested, not because they lacked money, but because it seemed dangerous to allow the necessity of the consent of Parliament to be called in question in this manner. The government turned to the Common Council, before which Cottington laid the most urgent representations: but his proposals were rejected even by this body. Strafford indeed spoke of treason; for the money, he said, was in hand, only people refused to lend it to the King under the circumstances: but the threats which he founded on these statements he was unable to carry out; even in the Privy Council he met with firm and well-grounded opposition to his proposals. Tonnage and poundage, as usual, brought in a certain amount: but ship-money was paid into the exchequer in smaller quantities even than before. The sheriffs in vain gave the necessary directions to the bailiffs of the hundreds: they no longer took the matter up with any zeal, but returned empty-handed. In this embarrassment

Charles I betook himself to the East India Company, to which he proposed that the spices which it had imported should be handed over to the King, and sold on his account: but the Company would not trust the King either with their wares or their capital[1]. Foreign capitalists or governments were then solicited in the King's name. But the former, the Genoese for instance, demanded securities which he could not obtain for them, as they depended on the consent of the city of London: and the latter were engrossed in their own affairs. Application was secretly made to the French, and the prospect of an advantageous treaty was held out to them as a return for an adequate loan[2]: they were told that, if only a French ambassador were present in England, much might be effected in their interest. It is true that at this moment the Scots were neither supported nor even instigated by the French. But the latter were still less inclined to help King Charles to gain an advantage over Scotland. And what could possibly have been expected from the Spanish monarchy, which just at that time was plunged into the greatest difficulties? Whilst Charles was quarrelling with his subjects, the French had gained the mastery over the Spaniards: this was one of the years which decided the ascendancy of the former power on the Continent. But if there were no pecuniary resources available, in what manner could such an army as was required have been created? This deficiency was the reason why the Earl of Northumberland declined the command-in-chief which the King offered to him. The militia called out in the different counties was guilty of acts of violence which made its presence intolerable; and moreover it displayed an insubordination that was unparalleled. In some places the soldiers assaulted their officers; in others they refused to embark in the ships destined for a descent on the Scottish

[1] Giustiniano, Sept. 7: 'Di procurare a credito dalla compagnia dell' India tutti li peveri, portate ultimamente giunte che ascendono alle somme di 70 m. lire, a disegno di farne poscia la vendita con discapito a mercanti.'

[2] Montereuil was informed in Cottington's name, 'Qu'on avoit besoin de 3 ou 4 millions; si le roi prestoit cette somme, pour en tirer quelque avantage de l'Ingleterre et l'engager à quelque traité, c'estoit à la France de proposer les conditions.'

coast: the government no longer ventured to arm them. It was even found that the Archbishop of Canterbury, whose hierarchical system the soldiers ought to have maintained by their weapons, was insolently scorned and mimicked by them. In the army assembled at York there were no doubt trustworthy officers in considerable numbers, but the common soldiers were not of this character. Neither the Earl of Strafford nor the King ventured to lead their troops against the Scots, and besides, their army was too weak for a serious attack. They could not but expect such events as those which had occurred in the entrenchments by the river Tyne.

In the Privy Council misunderstandings and dissensions broke out. Pembroke and Holland absented themselves on different pretexts, in reality merely to avoid taking part any longer in its deliberations.

Things had now come to a crisis: the springs which the government had been accustomed to set in motion lost all their elasticity. No one would any longer concern himself about its designs and undertakings, about what it did or left undone[1]: its commands and instructions had no longer any hold: that free co-operation was withheld without which a government can do nothing.

Not even among the Anglican clergy, whose cause the King had intended to conduct, did any real agreement with his system exist. The majority rejected the canons of the last Convocation. There were formal reasons enough for such rejection, as the Convocation had continued to sit after the dissolution of Parliament; but the substance of the canons were still more fatal to their acceptance. It was thought dangerous for the crown itself that the doctrine of the divine right of bishops was laid down in them, for how easily, it was remarked, might that lead to the assertion of a claim to independence! The oath demanded of the clergy was refused on the ground that it was illegal and contrary to the royal supremacy[2].

[1] Montereuil, Aug. 23, 1640: 'Pour n'avoir point de part aux conseils auxquels il y a peu de plaisir de se trouver présentement.'

[2] Sanderson to Laud, Sept. 13: 'Multitudes of churchmen not only of the precise sort whose dislike is less to be regarded, because they will like nothing that is not

But if the clergy of the State Church were dissatisfied, what was to be expected from the dissenting clergy and their supporters? The Puritans hailed the inroad of the Scots and even their occupation of Newcastle as a victory. For they thought that the King would now be forced to convene a Parliament, and that that body would overthrow the government, which had now drawn universal hatred upon itself, and would restore the ancient rights and liberties of England.

of their own devising, but even of such as are otherwise every way regular and conformable.' He laments 'the disaffection which is already too great in most of our people to all public proceedings.'

BOOK VIII.

THE LONG PARLIAMENT AND THE KING, DOWN TO THE OUTBREAK OF THE CIVIL WAR.

In a sense quite different from that in which James I thought to achieve the union of the two crowns and kingdoms, was that union destined to be accomplished; and already everything was smoothing the way thereto. The special object of the first two Stuart kings was to complete, on Tudor principles, the institutions of Church and State in England, and to extend the same to Scotland. But they had thereby awakened in the land of their birth a spirit of resistance at once aristocratic and religious. In direct opposition to the King, the Scots took up an attitude of ecclesiastical and political independence, which never was paralleled in any other monarchy. The King hoped to crush the Scottish movement by the strength of royal influence in England; but the consequences were the very opposite, for the movement spread into England also.

When the Scots entered England their first and chief demand was that the King should settle the home affairs of Scotland; but they added two other demands which concerned England as much as Scotland. They pressed for the punishment of those who had caused the troubles, that is to say, of the chosen counsellors of the King in matters both spiritual and temporal, and also for the summoning of an English Parliament, in which peace might be arranged.

They thus fully expressed the wishes of all the domestic opponents of Charles I: no further extension of them was necessary to imply the overthrow in England also of the political system that had hitherto prevailed. On the question how far the King would yield depended the future of his government, of his own life, and of the two nations.

CHAPTER I.

SUMMONING OF THE PARLIAMENT.

It seemed to be going back to an ancient long-forgotten state of things, when in the English Privy Council, which continued its sittings in the King's absence, and was anxiously discussing means of escape from existing difficulties, the Earl of Manchester, Lord Privy Seal, a man of great age and strong sense, though somewhat too fond of precedent, proposed to renew at this juncture the old institution of the Magnum Concilium, which had preceded the formation of Parliament[1]. He recalled the times when the advice of the peers, as the born counsellors of the King, had roused the nation to great efforts. The objection was urged that no assembly of the kind had taken place for fully three hundred years: moreover that it would merely be leading indirectly to what the Scots had demanded, the summoning of a Parliament. Archbishop Laud did not like the prospect, but, considering the probable results of calling a Parliament, declared for the assembly of peers. The King without hesitation accepted the proposal, and on September 7 issued writs, whereby he summoned the Peers of the realm to York, 'to take counsel with them about weighty and serious matters touching the condition of the kingdom.'

The nation however was not satisfied; and the first cry for the immediate convocation of a Parliament arose from among the nobility themselves.

The government was somewhat alarmed to find that without their previous knowledge a considerable number of peers about this time assembled in London, most of whom were

[1] Memorial, in the Hardwicke State Papers ii. 168.

known to be bitterly hostile to the existing régime. There were the Earls of Bedford and Hertford, whose forefathers had won their fame by the share they had taken in forwarding the thorough reformation of the Church (what had become of the bishops, if the ideas of Protector Somerset, the ancestor of Hertford, had maintained their ground?): there were Essex, Warwick, the brother of Holland, who fully agreed with them in general political sentiments, Lord Mandeville, the son of Manchester, but belonging to a totally different party from his father, Say and Brooke, who had been the first to show that their views were opposed to the King. After a short consultation they agreed on a petition, in which they repeated the general grievances of the last session of Parliament, and with special emphasis insisted on those which had first come to light since then, such as the newly imposed oath [1]. They laid great stress on the dangers arising from the military preparations. The recusants, said they, are forbidden by law even to have weapons in their houses, and now high commands in the army are entrusted to them: what misfortunes would happen if any Irish troops were brought over to England—a fear which had seized on men's minds in consequence of the known views of Strafford, long before his expressions had been thus interpreted. The Lords declared that there was only one remedy for all these evils, namely the immediate assembly of Parliament, which was necessary in order to remove the grievances of the people, to punish the originators of them for their several offences, to end the war without bloodshed, and to unite the two kingdoms against the common enemy of religion. It will be seen that these

[1] Unfortunately the petition, like so many other documents, is very badly printed. In the Record Office copy it is not 'grievances, which your poor petitioners lie under,' but more correctly, 'which your people lies under.' The concluding words run, 'The uniting [not 'the continuance,' which makes little sense] of both your kingdoms against the common enemy of their [not 'the'] reformed religion.' The thing most wanted for this history is a trustworthy critical edition of the chief authorities. Even the signatures are not certain. The Record copy gives at the head the name of Rutland, which is wanting in the rest. In the same copy the name of Bristol is wanting, which undoubtedly appears wrongly in most editions: it was wanting also in the copy on which the Clarendon Papers were based. Windebank says that he was present, Clarendon Papers ii. 115.

Lords, who had been named to the Scots as guarantees that they would meet a favourable reception in England, now, as might be expected, urged as their own the chief demands of the Scots.

On the very day on which Charles I issued his summons for the Magnum Concilium to meet at York, the two Earls of Bedford and Hertford appeared in London before the Privy Council, laid their petition before it, and moved for its concurrence in their prayer. The Earls said that they themselves were ready to pay true obedience to the King under all circumstances, but that they could not answer for the friends by whom they were commissioned, and that if their request was rejected, they would not be held answerable for the mischiefs that might ensue[1]. The obvious question was asked, who were their associates: and they replied, many other lords and a great part of the gentry in all parts of the country. The news of the summoning of the Great Council was communicated to them: they received it without attaching much importance to the fact, remarking that this council durst not take any steps towards the granting of money, nor allow any injury to the commons and their rights. Lord Arundel referred to the religious portion of their petition, saying that they seemed to wish to join the Scots for the purpose of effecting a reform in the Church[2], but that the result might be, under the pretext of liberty and religion to make England a prey to the Scots. The two Earls were asked if there was not already in England an association similar to the Covenant: but this they denied.

Without doubt such was the situation;—it is true that no popular religious union, either in England itself, or with the Scots, was actually formed: still that did not prevent the Scottish cause from being sure of general sympathy. Some

[1] Protocol: Bedford was very shy of doing anything without those by whom he was authorised.

[2] So says the Protocol, which is extant in the State Paper Office, and well deserves to be printed. We find especially 'the end and conclusion very strange, to desire the Scots to joyne in the reformation of religion.' Windebank on the same day furnished a report to the King: some points he added, and omitted others.

saw in it the cause of God and of the only true religion, which the Scottish army had come to defend: others cared chiefly for the support which the presence of the Scots afforded to their own political attitude: in many both these motives for sympathy were united. From the beginning down to the present day, the exact understanding which had been entered into between the parties has continued in the profoundest obscurity. Tradition connects the memory of it, among other places, with Broughton Castle in Oxfordshire, the seat of Lord Say, and Fawley in Northamptonshire, the house of a son-in-law of John Hampden: there a table was pointed out, at which all the plans were concocted from which the civil troubles arose. In London it was at the house of John Pym, near Gray's Inn, that the meetings were held and conferences took place, by which, as it was assumed, a close connexion with the Scots was maintained[1]. Moreover the well-considered and well-written manifesto of the Scots made a marked impression in their favour: it suggested points of view which every one could accept. They did not omit, after the capture of Newcastle, a place which was of the utmost importance to the English capital on account of the coal supply, to open communications with the city: they expressed in a special letter, as well as in their manifesto, their good-will and even their reverence for London, assuring them that the traffic should not be for an instant interrupted, their purpose being to make friends and not enemies. We learn that this declaration produced the desired effect[2].

After the step taken by the Lords, preparations were immediately made in the city to present a petition similar to theirs. The Privy Council sent a letter to the Lord Mayor and Aldermen, warning them against this proceeding; saying that the city had from the earliest times been treated as the King's chamber, even as his own house, to which he

[1] Forster, Statesmen iii. 126.

[2] Giustiniano 12/22 Sett: 'Il tenore di queste artificiose lettere che si va da per tutto spargendo, accresce motivo d'alteratione contro ministri et a ribelli sostenta il favore delli primi applausi.'

would entrust his wife and children[1]: that they ought not to press him about grievances which he was ever labouring to remove, and that this course was inconsistent with the customs and charters of the city. But the Aldermen refused to interfere: still less could they be induced to do what was suggested to them—address to the King a petition of contrary tenour[2]. These ideas of a special connexion vanished before the general religious and political motives of action in the Commons as well as in the Lords. The King was requested, in the name of his capital also, to summon a Parliament as soon as possible, for the removal of grievances to which, as experience proved, the usual course of justice did not extend.

This was the demand which had been repeated for more than ten years in stronger or weaker language, which the King had evaded as often as possible, but which nevertheless had often been pressed upon him. Once he had taken steps in that direction, in the hope that complications abroad might in the interval occur to check opposition at home: but he was most bitterly disappointed. Should he now after all decide on this course? The need of Parliamentary aid was more pressing than ever, the cry for a Parliament louder: and the impression which this demand had made was deepened by another motive, the fear of worse consequences in case of refusal. The idea gained ground that if the King delayed to call a Parliament, the associated Lords would take steps towards that end[3]. A Parliament had already been held in Scotland without the King's participation. What else did the threats mean that Bedford and Hertford had uttered before the assembled Privy Council? It was asserted that the Queen, who was close at hand at Hampton Court, and was taking counsel on the state of affairs with her confidants in the Privy Council, had been induced by the impending

[1] 'Honoured from all antiquitie with the title of his majesty's own chambre.' Letter of the Privy Council, 11 Sept. in Rushworth iii. 1262.

[2] Windebank to the King, 18 Sept. Clarendon Papers ii. 116.

[3] We see from Giustiniano, 15 Sept., that the rumour was, that in a memorial to the King the formal threat had been expressed, 'di chiamarlo (il parlamento) da se stessi.'

dangers to advise the King to summon Parliament immediately; and if he would not do this—so she was reported to have written with the concurrence of some of the ministers—that at least he should not lose an instant in returning to London, otherwise irreparable disasters would be imminent[1]. Hereupon the King adopted the resolution which of all others was most repugnant to him, and that immediately; no extraneous influence could have led him to it. The time-honoured course of constitutional deliberation appeared under the circumstances to promise the best results: people flattered themselves that the Earl of Strafford would exhibit his parliamentary talents in England also. That nothing might interfere with his presence in the English Parliament, the Irish, in which he was equally necessary, was prorogued to Easter. The English Parliament was to be held as early as possible: the opening was fixed for Nov. 3.

With this declaration the King met the peers when they gathered round him at York in the latter half of September: the great question had already been decided without them. Charles I claimed their assistance in two other matters which, though secondary to this, were in themselves of great consequence—to bring about an accommodation with the Scots, and (inasmuch as until this could be effected the royal army must be held together, without any Parliamentary grant being made for its maintenance) to procure him the means of keeping the army for a time in an efficient state.

The latter of these two points was the most pressing. There was a talk of compulsory loans after the fashion of the old benevolences: some of those present declared themselves ready to make considerable efforts of that kind: but at last they came back to the idea of trying to get a loan in the capital. Lord Bristol observed that, as the previous proposal for one

[1] 'Di tale ardita resolutione—penetrate dalla regina e da ministri le piu particolari notitie ha mandati in diligenza gli avvisi al re consigliandolo a ridursi celeremente in questa citta per divertire quei pregiuditti che ben grandi gli sono irreparabilmente minacciati, quando non si disponga di convocare senza intervallo di momenti il parlamento.' (Giustiniano, ib). Montereuil (4 Oct.) also heard of the Queen's influence ('que la reine y ait fort porté') on the summoning of Parliament.

had been rejected through political misgivings, since removed through the issue of writs for a Parliament, they might now reckon on acceptance. Six of the peers, among whom we find Pembroke and Manchester, in the name of the remainder repaired to the city on this errand. After they had conferred with the Lord Mayor and aldermen, a meeting was held on October 2, not of the entire civic body, a thing which was purposely avoided, but of the full common council. It had been rumoured in the city that their last petition had been badly received by the King: the Lords contradicted this report, and declared themselves fully satisfied with the behaviour and with the latest resolves of the King. The objection was urged that they could not grant to the Lords what had been refused to the King, but they produced a letter from the King in which he expressed his full assent to this course. The necessity for keeping on foot the royal army was shown by the violence of which the Scots had been guilty in the northern counties. The Bishop of Durham, who had suffered most at their hands, was present to give information on the subject. After the Lords had retired their request was assented to[1]. So much trouble did it cost to obtain a loan of £200,000, the repayment of which was to depend on the grants of Parliament, but was further secured to the city by the guarantee of the Lords.

It remained to make some arrangement with the Scots. For this purpose the most favourably disposed of the lords, especially the signers of the address, were despatched to Ripon. Men like Strafford could desire nothing more than that the affair should reach this stage: they were always hoping that a complete knowledge of the intentions and demands of the Scots would induce all old-fashioned Englishmen to combine against them. All actual negotiation was however stopped by the question of money: the Scots required that their army should be maintained at the cost

[1] 'These things made such impression on them, that we discerned as they satt, how well they were disposed—so that we came about.' So it is stated in the report of the Lord Privy Seal and Chamberlain, dated October 3, in the State Paper Office, a document which is the more welcome since Windebank's letter about these proceedings, to which he himself refers, is not in the Clarendon collection.

of England. On this account they asked so large a sum, £40,000 a month, that the lords who had been deputed to meet them thought it necessary to refer the matter back to the great council of peers at York. By this council the subject was debated at length on October 6. Among others, Lord Herbert of Cherbury, the historian of Henry VIII, declared himself emphatically against the demand, saying that he had read now and then of buying treaties of peace, but never of buying negotiations, the result of which was still as it were in the air. Others declared it to be an inevitable necessity: they must either drive the Scots back, or grant their demands in full. The first course Strafford himself deemed impossible; he pledged himself to defend Yorkshire against them, but not Westmoreland and Cumberland[1]. Could they abandon these two counties to be occupied by the Scots, and probably plundered as well, together with those already in their hands? It had been said that the Scottish army might be reduced, and then supplied out of Scotland: but in order to attain this they must first defeat it, and for this must before all things be unanimous. It was determined at last to guarantee to the Scots for the future the sum (£850) which they exacted daily from the occupied districts, this money to be raised at once from the neighbouring counties of Westmoreland and Cumberland, with the promise that Parliament would make good to them whatever they might do for the safety of the kingdom. On these terms a truce was signed with the Scots. They stayed in England, and thus the very extraordinary result followed, that two armies which had been intended to fight each other, remained facing each other with their swords sheathed, both at the cost of the same authority. That both armies thus depended on the grants of Parliament rendered that body absolutely indispensable, and gave it a necessary strength sufficient to overrule the King's will.

In general terms it may be said that the summoning of Parliament implied the defeat of the King. His system of alliance between the crown and the hierarchy was thereby

[1] The obscure words of the protocol in Hardwicke, State Papers ii. 247, are explained by the note of Sir Henry Vane, p. 196.

virtually overthrown. Between the ideas of the Scottish spiritual and temporal assemblies which he combated, and the tendencies which had caused him to dissolve the last English Parliament, as well as previous ones, a league was formed which thenceforth held the upper hand, and threatened to dictate the law to him. The question was merely how far the restrictions would extend, to which he must undoubtedly submit, and what changes in the State would be attempted in consequence.

In the elections which now began preference was given in general to those who had most zealously opposed the existing authorities, or were known as the most ardent Protestants. There were no such boards in London as in Edinburgh, formed on purpose to manage elections systematically. But those who were of one mind were seen to hasten from county to county, in order to exert their influence in each to the utmost. On the side of the government also a list was prepared: the King claimed the aid of the chief lords in his service, such as Pembroke, in support of his candidates in the boroughs: and some names show that this attempt was not altogether fruitless. But the efforts of the popular party were by far the most successful[1]. Of the members of the last Parliament three-fifths—294 out of 493—were re-elected. Moreover the new members belonged almost entirely to the popular party. Of those who had already won a reputation on this side, not one failed.

[1] Pamphlet of 1643 on the elections of 1640: 'We elected such as were not known to us by any virtue, but only by crossness to superiors.' Montereuil reports about the same time that the elections had begun 'par le choix des personnes, que l'on croit moins portées à favoriser le roi d'Angleterre.'

CHAPTER II.

THE FIRST SITTINGS OF THE LONG PARLIAMENT.

On the morning of November 3, 1640, the Lord Steward appeared in the vestibule of St. Stephen's chapel, which since the Reformation had served as the place of meeting for the Lower House. The clerk of the crown called over the names of the members, who took the oaths of allegiance and supremacy at the hands of the Lord Steward or his deputies appointed for the purpose. An hour after midday the King, who had come in a barge from Whitehall, landed close to Westminster bridge. After hearing a sermon in the Abbey, he opened Parliament with a speech in the House of Lords, which the Commons attended. When the latter had returned to their own house, and taken their seats, the Treasurer of the King's household nominated as Speaker a young barrister, named William Lenthall. He was accepted with general acclamation, and then conducted by the Treasurer and one of the secretaries to his chair, a few feet in front of the chapel window, opposite the places of the members, which rose in two ranks one behind the other[1]. The government had at an earlier period thought of designating as Speaker one of their own supporters, but in spite of all their efforts had failed to secure his election. It may be assumed that the hearty reception accorded to the new Speaker did not so much apply to him, since he was as yet little known, as express a sense of the advantage gained through the rejection of the other.

It was remarked with displeasure and dissatisfaction that the King came to the opening of Parliament, not with the pomp of a splendid cavalcade, but in a plain barge, just as if

[1] Journal of the House of Commons ii.

a session were being opened after a prorogation[1], and in fact this corresponded with his feelings and language. He referred in his speech to the previous Parliament, and now as then entered immediately on the questions of the Scottish war, and the redress of grievances. The difference however between the two occasions was most marked and complete. The King no longer claimed precedence for the question of supplies for the war: he left it to Parliament to decide which of the two subjects it would take up first. But it was his wish and hope to direct their attention before everything to getting rid of the Scots from English territory: for the pressure which weighed on the northern counties, the welfare and honour of the whole country, rendered this absolutely necessary. To the same effect spoke the Lord Keeper Finch; he brought vividly forward the innovations of the Scots, which were opposed to the fundamental laws of the realm, and to monarchical institutions. As it had excited some remark that the King had directly called the Scots rebels, he deemed it advisable, a couple of days later, to explain himself in a second speech[2], without however withdrawing what he had said. On this second occasion he expressed again his expectation that the Lords would help him to bring his Scottish subjects to reason—for such in any case they were, though rebels so long as they were in England—and to send them back into their own country, whether they would or no. The Lords seemed to assent to this. The Scottish commissioners had come to London, and a conference between the Lords and the Lower House would shortly be necessary, in order, as they requested, to settle in Parliament terms of accommodation with them. After a few

[1] Giustiniano, Nov. 9. 'Risolutione la quale—palesa a sudditi, d' avere acconsentito alla convocatione costretto delle sole violenze dell' inimico.' Clarendon, Reb. Book ii. Guizot, Book iii.

[2] The editing of these speeches in Rushworth and in the Parliamentary History leaves much to be desired. In the second speech the King is made to say, 'when I called my Lords and Great ones at York,' although 'Great ones' is not an English political phrase. The King really said 'when I called the lords of my great counsel to York:' he accuses the Scots, because they 'did cavil a delay,' not merely 'delay.' As has before been said, all these important documents require to be better edited.

days the Lords actually proposed such a conference, but the Commons declared that they were at present too busy with other weighty matters.

Among the latter the King roused at once the liveliest opposition when he urged in harsh language the removal of the Scots. It was through the attitude of the Commons in the last Parliament that the expedition of the Scots had been undertaken. The whole course of events, the convocation of another Parliament, originated in the advance of the Scots into England. How could the Lower House, which held the Scottish cause to be its own, have declared against them?

Without paying any attention to the King's wish to undertake or to decide on some measure against the Scots, the Commons, as soon as they had despatched the first formal business, began the discussion of grievances, with the intention not merely of removing them, but also of punishing their authors. The first sitting in which this took place, that of November 7, is specially remarkable for the feelings then exhibited.

First, John Hampden submitted a complaint about the cruelties which had been perpetrated in consequence of a refusal to pay ship-money, for which he made the Lord Chief Justice and Judges of the King's Bench answerable. Next was mentioned the far grosser ill-treatment which Bastwick and Burton had suffered at the hands of the spiritual tribunal. The reply which the King's servants made, that this was a matter of State, in which they must first enquire of the King, was met by a reminder that the King had already given them leave to enquire into abuses. It was resolved that Burton and Bastwick should be summoned before Parliament to plead their own cause. Then the member for Hertford presented a petition from that county, in which the chief grievances that had come before the last Parliament were repeated. The county prayed not merely for the removal of them, but for the discovery and punishment of their authors. Harbottle Grimstone, member for Colchester, who had once expiated in prison his resistance to a loan for Charles I, called to remembrance the disappointments which had befallen the members of the last Parliament.

'But what good,' cried he, 'have our complaints or our petitions ever done? The judges have overthrown the law, and the bishops religion.' The same tone was adopted by men of generally moderate opinions. Benjamin Rudyard inveighed against the King's counsellors, who, while they talked of his service, really sought nothing but their own interest; who by their conduct caused confusion, and then used that very confusion as a pretext for measures seven times worse than the previous ones. Francis Seymour, the brother of Hertford, added that no man could any longer endure the present state of things, without being false to the duty which he owed not merely to the King but also to his country. The assembly had thus been brought into such a state of violent agitation coupled with self-confidence, as might naturally result from the knowledge of having suffered wrongs, and of being in a position to terminate them, when John Pym, who had already spoken once, rose for the second time to make a general reply.

John Pym belonged to the school of Coke and Cotton, which desired to see the parliamentary rights that had been won in Plantagenet times re-established in England. In previous Parliaments he had appeared as one of the leading opponents of monopolies, and other exercises of prerogative. James I had remarked with dislike his imperious and unyielding spirit. Moreover he like others was actuated by Calvinistic zeal for that exclusive Protestantism which he regarded as the only form of religion tolerated by law in England. He had at all times contended not only against financial extortion, but also against the favour which Catholic tendencies found, and had more than once had to encounter the King's vengeance in consequence. When Parliaments were no more held, and judicial decisions legalised ship-money, the hope of accomplishing any good in England seems to have failed in him as in others: we find his name among those who were directing their gaze to the shores beyond the Atlantic, and the colonies to be planted there. It does not appear certain whether he or his friends had actually formed the purpose of emigrating; but there is no doubt that he, and other like-minded members of the nobility

and gentry, took part in the commercial intercourse with Providence, and had acquired possessions in Massachusetts. George Fenwick, the agent of Lords Say and Brooke, for a long time would allow no settlement in their districts; he kept them vacant for the owners, who might at any moment be expected to arrive[1]. Then came the troubles in Scotland. The same sentiments which drove Winthrop and his friends to America, now kept Pym and his associates in England. The former gave way when the ecclesiastical tyranny of Laud became unendurable to them: the latter, when the first commotion began, seized on the hope of freeing England also from it. The ideas of the Scots were of a very similar type: rigid Calvinism in doctrine pervaded all, together with demands for independence in the Church, and a political constitution which should secure this. The English and Scottish movements and the emigration to America sprang from one and the same source. Among those who promoted the union between England and Scotland John Pym stands foremost. Through him above all men it came to pass that the Parliament of the spring of 1640, instead of voting subsidies against Scotland, brought into prominent notice the English grievances of like character. Thereupon followed the rising in arms of the Scots, and a general ferment in England. John Pym instigated the popular petitions demanding a Parliament: he prepared and directed the elections: he was in fact often pointed out as the author of this Parliament. At all times a declared enemy of Spain, he had no objection to enter into alliance with the French, whose interests were identical with those of England[2]. His peculiar talent lay in combining opposites, and directing towards one end movements which were remote from one another. Pym was no rigorous Puritan: he loved cheerful conviviality: occasionally, in street ballads or violent lampoons, he is accused of irregularities of conduct. But from the time when he reached the point which made political influence

[1] Hutchinson, Massachusetts Bay i. 64. Garrard to Strafford, December 1637. Letters ii. 191.

[2] Montereuil: 'J'ay entretenu longtems le Sr. Pimme: il me doit tenir bien informé de tout qui se passera au parlement, où il m'a témoigné qu'il seroit bien aise de servir en même temps son pais et la France, dont il reconnoit que les interêts sont unis.'

possible for him, he gave his whole heart to the task he had set himself. Personal considerations swayed him not; the interests of his family were of no weight with him; he died in debt: from earliest dawn till late into the night he laboured for his end. Other men could but follow him, or hate him from the bottom of their hearts[1]. Through the force of the ideas of which he was the champion, he is for all time a man of great historical importance: through the zeal and good fortune with which he acted, he gained an unique political position. He was the representative of the opposition in the old Parliament, and of the alliance with the Scots which characterised the new. He could reckon on producing a great impression by every word he spoke.

In parliamentary assemblies the most influential speeches will be, not those which approach most nearly to the ideal of classical eloquence, but those which best correspond to the education and mental tendencies prevalent at the time. Pym's speeches, as has been observed, move in the fetters of scholastic distinctions: but that was the form in which men of that epoch were wont to think, in consequence of the style and method of teaching then in vogue. They are solid, energetic, and altogether calculated to win acceptance for the conclusions to which they point. On this occasion he entered in more detail than before into the source and nature of the evils from which England was suffering. He attributed them to the violence of the spiritual and perversion of the temporal courts, above all to the contempt for the privileges of Parliament and the favour shown to Papists, even in military employment. He illustrated each of his positions by quoting piquant, pertinent, and sensational particulars, in order to support the conclusion that a plan had been formed for altering and destroying piecemeal, not merely the established religion, but also the constitutional form of government. This, he said, was not only treason, but the greatest of all imaginable treasons: it touched alike the King and the kingdom[2].

[1] 'All men who knew him either loved or hated him in extremity.'

[2] 'Their designs walk on four feet.' He added a fifth foot, like the Assyrian monsters. The outline of his speech was known already from Nalson i. 495. There is now also the information from D'Ewes' Journal, in Sanford's Illustrations.

To direct the general zeal towards the discovery and punishment of the authors of these treasons and their accomplices was the special object of his words, and he attained it fully.

The majority of the Lower House besides was strongly inclined to exclusiveness. They would endure no one in the House who had shared in the exaction of the last imposts, no monopolist, no projector, above all no one who was prevented by his creed from joining in the Eucharist according to the Anglican ritual. The Lower House could not be regarded as an assembly of lawgivers who intended to establish the principles of equal justice for all: their hostility to the royal prerogative led them rather to endeavour to renew, with other laws, those statutes against the Catholics which had been passed in the hottest times of the religious contest. All breaches of positive law, according to their understanding of it, they were resolved to punish as offences, without any regard to royal prerogative. Everything breathed a decidedly aggressive spirit. In parliamentary meetings of the leading members this course was systematically planned, and the resolution taken that the Lower House should act as a sort of high court of enquiry for the kingdom. While it was thought expedient to combine all grounds of complaint in one great remonstrance, it was generally agreed to spare the King, to ignore his personal share, and always to mention his name with respect [1]. All the blame was to be cast on his advisers. They went through the list of men who had most participated in the misgovernment, in the Privy Council, on the episcopal and judicial benches, finding many who might be held criminally responsible, and ending with the special confidential advisers of the King, the junta by which affairs had been managed hitherto, and against which both kingdoms had common grounds of complaint. Hence one of the hardest and weightiest questions of parliamentary life came again to the front. When James I and Charles raised their favourites to the highest posts, so that men who were their mere personal dependants wielded the whole power of the State, we have seen already how often and how zealously both Lords and Commons resisted such

[1] Narrative in Sanford, 307. There is a notice in May to the same effect.

inclinations. Charles I was always extremely sensitive on this point: more than once parliaments were dissolved because they harped on this topic. For a long time Charles I had ceased to have any personal favourites, but the leading members of his government identified themselves with his absolutist and anti-parliamentary policy. It must be left undecided whether the schemes of the administration originated chiefly with the King or his ministers: they were agreed in the idea of a government to be carried on essentially through prerogative. This intimate connexion between the royal authority and the holders of administrative power decided the leaders of the Parliament to begin operations by an attack on the ministers. Not that they were convinced that the ministers had in fact acted independently of the King, and merely covered with his name their own wills and purposes; but a few great examples would re-establish the right which Parliament had enjoyed in early centuries, and sometimes exercised in later times, to bring men of the highest position before its tribunal, to subject the administration to its control, and render it responsible. On this very ground King Charles had avoided convoking parliaments, because he feared the reappearance of this demand, which touched the very sources of his power, the means by which the general direction of affairs devolve on the crown. Now however in the course of events a Parliament was assembled in which his opponents had the upper hand: what was to prevent a return to the policy of earlier Parliaments? No one as yet entertained, at any rate consciously, the purpose of overthrowing the monarchy; but it was intended to confine its operations within narrow limits, and to ensure the preponderance of the parliamentary over the royal authority. They wished too to destroy the ministers, to take vengeance on those whom they had hitherto been compelled to fear, from whom they had suffered personal wrongs: it was now the ministers' turn to experience a reverse of fortune, and feel the power of their enemies.

No one was better qualified to lead the attack than John Pym, who had himself announced it in the above-mentioned speech. As in former years he had contended against Cran-

field at the side of Buckingham, then against the latter himself, so too it was well remembered, at least by members of Parliament, with what effect he had battled against Montague and Manwaring [1].

At the time that Wentworth deserted the popular party, Pym is said to have told him that he was going headlong to destruction. This was the man who now for a long time had most thoroughly personified royalist tendencies: on him the first and decisive attack must be made. Pym had for some time been preparing to bring about the fulfilment of his own prediction. When therefore, at the beginning of the appointment of committees, Pym proposed that the affairs of Ireland should be debated in a committee of the whole house, every one saw what his object was. The friends of the Viceroy demanded a separate committee. But the majority on which Pym could reckon when it came to actual impeachment, were on his side in the preliminary question also: by a trifling majority, but still in legal form, the resolution was adopted that the whole house should form the committee on Irish affairs.

It has always excited surprise that Wentworth Earl of Strafford appeared in Parliament at all. For even if he could have deceived himself so far as not to believe that impeachment and danger to his life awaited him, yet obviously he would have been much safer with the army, or in Ireland, or abroad. It has been said that he represented the whole case to the King [2], but that the latter, who still thought himself strong enough to protect his friends under all circumstances, reassured him, and requested his presence on the ground that

[1] Montereuil speaks of him as 'fort éloquent et de grand credit parmi le peuple, un de ceux qui parlèrent avec plus de hardiesse dans de dernier parlement.'

[2] The information comes from Whitelocke's Memorials, not a really independent authority for these years. It is chiefly compiled from Sanderson, from which Whitelocke has extracted at this place the notice of the evil omen derived from the choice of the day. Sanderson is silent about Strafford's letter, which Whitelocke quotes. On the contrary, he makes him confer with his friends on the way, and form his determination on the ground that he intended to impeach his opponents. 'He himself had digested his intelligence into the form of an impeachment.' Strafford's frame of mind is shown in a letter of Nov. 5. Fairfax, Correspondence ii. 52.

he could not dispense with his advice. We need not however believe that Strafford trusted to this assurance. He knew full well, and avowed the knowledge, that there was a necessity which overruled the King's good-will, for owing to the presence of the Scottish army he was in a measure at the mercy of the Puritans. But his friends implored him to come, in order to prevent blunders and follies such as had already been committed. Very unwillingly he tore himself away from Wodehouse, his country seat: but he desired to obey the King's wish, and not to be untrue to his party. Moreover he had some confidence in his cause: it is asserted that he had in his hands proofs of an alliance between his enemies and the Scots which could be construed as treason, and that he intended to found thereon an impeachment against them.

Accusation against accusation: but the one depended on the notions of old English loyalty; the other had as its motive and aim the idea of parliamentary government: the former treated as high treason the alliance with the Scots, the latter the war against them. Their opposition corresponded to that between the chief combatants, and the principles embraced by each. Had the King obtained the upper hand in the field, perhaps the first might have prevailed: but after he had sustained a political defeat, the success of the second became more probable.

Strafford came to London on November 10, and that evening had an audience at Whitehall: next morning he appeared in the Upper House to take his seat, and then repaired again to Whitehall. There he was informed that the Commons were busy with an impeachment against him: he replied that he would look his enemies in the face. On this morning, the 11th, the chamber in which the Commons assembled was closed and the key laid on the table, in order that no one might absent himself, and no stranger might come into the house. All other business was set aside, in order that the house might devote itself to the impeachment of Strafford. A committee of seven members, among whom were Pym and Hampden, was deputed to draw it up: after their draft had been approved, Pym himself was appointed to carry it to the Upper House. At the head of about three hundred members he ap-

peared before them: 'My Lords,' said he, 'in the name of the Commons of Parliament and of the country I impeach Thomas Earl of Strafford, Lord Lieutenant of Ireland, of high treason. I am commissioned to request that he be removed from Parliament and committed to prison.' The Lords had come to no conclusion when Strafford, with haughty and lowering demeanour, entered the house and went towards his seat. In the morning he had been received by every one with respect, now a hollow murmur greeted him. He might have intended to take part in the debate, and so have the opportunity of at once taking his own line, but he was obliged to retire into the antechamber until a resolution was taken respecting him. The Upper House could not well do otherwise than assent to the request of the Commons. The Viceroy, who in the morning was regarded by most men as lord and master of the executive power of England, was seen in the afternoon to kneel at the bar of the Upper House, and in obedience to the commands which he there received, follow the gentleman-usher to his house as a prisoner [1].

Prosecution was now of necessity directed also against the man whom the English and Scottish Puritans regarded as the source of those torrents of destruction which had overflowed the Church, Archbishop Laud. On December 18 an impeachment for high treason against him was laid before the Upper House, and his arrest ordered. Rising from prayer in his chapel, he entered the barge which was to carry him to the Tower: he was confident of so defending himself before Parliament as to make the justice of his cause obvious; but had this been more irreproachable than it was, he had as little chance of making it prevail, before a Parliament such as was then assembled, as the Puritans had had before his own spiritual tribunals.

Inferior in external dignity, but not less important in fact, was the office of Secretary Windebank, who, as his letters show, exercised much influence over the King, and enjoyed the confidence of the Queen: he was not only favourable to Spain, like Strafford, but also inclined towards Catholicism.

[1] Contemporary narrative, in Sanford 312.

The chief articles of an impeachment against him were already drawn up. His impending arrest was a danger not merely to himself, but to all who were associated with him: it was feared that in the proceedings against Strafford and Laud he would be compelled to give evidence which would destroy them utterly. With one of his subordinates who knew as much as himself, he avoided arrest by flight into France: he had a pass from the King [1]. The French minister hastened to warn his government against him, as a very suspicious person.

Meanwhile the impeachment against John Lord Finch had been prepared by examination of the judges, over whom he had exercised illegitimate influence in the matter of ship-money. His friends prevailed so far that he was first heard once more in his defence. Quitting the woolsack in the Upper House, in his official dress, the great seal of the kingdom, with the bag which held it, in his hand, he appeared before the Commons. The excuses which he alleged were not positively false: moreover he was able to plead some attempts to defend and shelter the preachers. These actions, the beauty and eloquence of his language, and his tone of submission, won him a certain amount of sympathy. Nevertheless impeachment and imprisonment would undoubtedly have been his lot, had not his friends succeeded in interposing sufficient delay to allow of his also taking to flight. He sent the great seal secretly to the king, and took ship for Holland [2].

Thus the men to whose hands had been committed all the chief offices of state in the army, the Church, the law, foreign affairs, were banished or imprisoned: in one way or another Parliament proceeded further to make sure of the most interested judges, the most confidential friends of Strafford, the most active bishops. All those who had taken a consenting and active part in the government saw themselves

[1] State Trials iv. 44. Montereuil: 'Deux raisons l'ont obligé à sortir d'Angleterre, l'une pour se sauver du danger qui le menaçoit, l'autre pour ne point contribuer à la perte de ses amis, l'archevesque de Canterbury et le Lieutenant d'Irlande, comme il eut fait asseurement, s'il eust été obligé de déposer contre eux.'

[2] From a narrative proceeding from Clarendon, but afterwards not inserted by him in his historical work, given by Seward and in the State Trials iv. 18.

personally threatened. Not only a change of persons, but an alteration of the mode of government had to be achieved: there was a complete and systematic revolution of principles. It was now definitely established that Parliamentary privilege was the fundamental law of the realm, and that every infringement of it, although with the King's approval, should be punished as a crime. Henceforth there was a change in the power, an offence against which constituted high treason: formerly it was the King, now it was the entire Parliamentary body. In their hands was the sword of vengeance: the victims of the Star Chamber were set free, the members of the tribunal impeached.

Sundry resolutions corresponding to this idea were adopted by Parliament; for instance, in relation to ship-money[1], which was declared contrary to the laws of the realm, to the private rights of subjects, and to previous statutes. Care was taken to restore to those who had paid them the last raised contributions, which were still in the hands of the sheriffs. This gave the bench of judges greater security against arbitrary dismissal. But as the chief source of the evil was seen to lie in the long intermission of Parliaments and their abrupt dissolution, the most special care was directed towards making this impossible. The general feeling was that they could never long reckon on the good behaviour of the ministers unless the rod of responsibility was always hung over them, that otherwise their arbitrary power would in a short time grow again like Samson's hair, and that the only means of keeping good ministers lay in the frequent repetition of Parliaments[2]. Demands similar to those of which the Scots had set the example, were made in England also, that Parliament should meet every three years. Neither the power to convoke nor the power to dissolve it was to be left entirely to the King's pleasure. It was resolved that if the King had not summoned a Parliament before September 3 of the third year, the peers of the realm were to issue the necessary writs in the King's name: should they prove dilatory, the sheriffs of the

[1] Parliamentary History ix. 42.

[2] Lord Digby's Speech for frequent Parliaments. Parl. Hist. ix. 157.

counties and mayors of the towns were to order the elections: and in case even these did nothing, the burgesses and freeholders might come to the poll unsummoned. On the same principle Parliament was neither to be dissolved nor prorogued until the session had lasted fifty days, without the assent of both Houses.

These proposed enactments met with some opposition from the Lords: but as they involved interests common to both Houses, they passed that House also. We are assured that the King was fully sensible of the injurious effect which these measures must have on himself[1]: he foresaw that the censorship to which his ministers and himself would be subjected every three years must destroy the freedom of his designs, and limit his authority over the people. When the bill was presented to him he showed himself extremely unwilling to accept it. But an outspoken refusal once before had stopped all further negotiations: moreover there was a feeling at court that it would have been better for the King himself if his ministers had had no option in this respect. Charles I was induced to give way on February 16; the clerk of the Parliament was instructed to utter the old Norman formula, 'Le roi le veut.'

Among those who originally were doomed to destruction was Hamilton: but at the crisis when the Scots penetrated into England a change of policy was observed in him. Though formerly he had recommended extreme measures, he was not prepared to risk his life for them. He now recommended the King to grant the demands of the Scots, and entered into an alliance with their leaders, his former opponents, and with the lords of the opposition party. By his mediation the most conspicuous of the latter, Bedford and Hertford, Essex, Mandeville, Saville, Say, as well as Bristol, were admitted into the Privy Council, thereby obtaining a certain share in the administration. It was generally believed at the time that this suggestion proceeded from the Scots, who desired to see their friends in the King's council, in order to ensure

[1] Giustiniano, 11 Gennaio: 'Vivamente s' impiega per divertire la riuscita di cosi ardito disegno, che colpisce nel piu vivo la di lui sovranita reale.'

the granting of their demands. The court based on it the prospect of a better understanding with the Parliament. Hamilton had at first some difficulty, but ultimately the King once more obeyed the voice to which for some years he had been wont to pay special attention[1].

On the whole we may suppose that the King under this influence cherished the idea of conducting a Parliamentary government, and, since his late ministers had fallen, of trying to work it through members of the opposition. But circumstances were such that very little could be achieved by means of a mere change of ministry. The restraints imposed on the King meant far more than mere alterations in form: the principle from which they sprang touched the vital point of his power. And the tendencies of a totally different nature and extent which were exhibited in the spirit both of members of Parliament and of the people were such that no accommodation with them was possible.

[1] Baillie i. 305: 'The first motion of it was bitterlie rejected by the King; yet the Marqueis by his wisdome brought him unto it.'

CHAPTER III.

PROGRESS OF AGGRESSIVE TENDENCIES IN THE LOWER HOUSE.

Debates on Episcopacy.

ATTEMPTS have been made to separate the good which the Long Parliament did from the errors of which it was guilty. The former is seen in the abolition of the excesses of the royal prerogative, the latter in its vehement prosecution of its opponents and the attack made on the constitution of the Church. From the point of view rendered possible by later events such a separation has its truth: but historically it cannot be made as regards either time or intention: the good was inextricably mingled with the evil. If we consider the close connexion between English and Scottish affairs, the importance of Church matters in Scotland, and the preponderance which the same views had obtained in England among those who were at the head of affairs or were active in lower spheres, we shall see that, when once the united oppositions of the two countries had won a common victory, nothing else was to be expected but that the acts hostile to Episcopacy in Scotland would be repeated in England. When the Scottish deputies came to London they expected to find friends, but they found something more: they were themselves amazed at the deference and admiration lavished on them and their country. On the first fast-day appointed by Parliament all the pulpits rang with praises of the Scots, who had been set apart by God to put an end to idolatry and tyranny in the English Church. The language of many English preachers seemed to the Scottish deputies

very extraordinary[1]: they scorned Episcopacy and the Liturgy, and called for a Covenant. It was probably Pym through whom a new and increased influence was opened to public opinion, by the introduction and authorisation of the practice of popular petitions to Parliament. One of the first petitions for which this right was used was also one of the most comprehensive and far-reaching that ever was presented: it was directed against the continuance of Episcopacy in England. It dwelt chiefly on the late violent measures of the bishops, by which so many good and true subjects were driven into exile for conscience' sake; on the number of books that had been forbidden in which true religion was taught, while many others were published by their authority in which doctrines tending to Popery were inculcated; on the fact that every argument on which the bench of bishops depended was equally valid in favour of the Papacy; on the desire of all Papists for the maintenance of their power. The conclusion was thence drawn that the order of bishops and prelates must be destroyed totally, as the phrase went, 'root and branch.' The petition was supported by fifteen thousand signatures. Alderman Pennington said, that if a show of hands might be taken as a sufficient sign of assent, they might reckon fifteen times fifteen thousand supporters for it.

Now however arose a difficulty peculiar to England. In Scotland the power of the Presbyterian Church had repressed every movement which went beyond Presbyterianism: the abolition of Episcopacy in Scotland was exclusively its work. In England Presbyterianism was neither established nor yet the only prevalent creed among the enemies of Episcopacy. Many other separatist sects had sprung up in mysterious darkness, and, as soon as Laud's hand was withdrawn, suddenly emerged into daylight—Brownists, Independents, Formalists, Adamites, Anabaptists, all sorts of names, differing in most respects, but all agreed in one, that the union of ecclesiastical and political power, as it had hitherto existed in England, must come to an end. In the signatures to the petition these sects had as great a share as the Presbyterians.

[1] 'Many ministers used greater freedom than ever here was heard of.' Baillie's Letters i. 213.

It was never for a moment lost sight of that there existed between them and the Presbyterians a deeply-rooted difference of opinion. Lords Say and Brooke, and some conspicuous members of the Lower House who belonged to the one party, agreed with the leaders of the other to make common cause against the common enemy, to work together for the overthrow of the episcopal establishment, so as first to clear the ground, and then to see about erecting a new edifice[1]. It was understood that when it came to setting up a Presbyterian establishment, toleration was to be granted to the separatists[2]. As two powers which are making joint preparations for war are wont to agree beforehand on the arrangements that are to be made after the victory, so these two religious parties came to an agreement on the relations which were to subsist between them after the fall of their common enemy. They already contemplated a great Church conference which should then be held.

United they had the multitude entirely on their side. Those who had been persecuted or exiled by Laud were conducted back into the city with endless rejoicings. Bastwick was met by a thousand horsemen: wherever he passed he was greeted by triumphant trumpet-blasts. His return was a victory over the hated power of the bishops and the spiritual courts, which men now hoped to destroy for ever.

This scheme, regarded from the historical point of view, appears totally subversive of both Church and State in England. For there was this difference between England and the other Protestant countries, that she alone retained Episcopacy with its claims to apostolic succession. A movement in the episcopal order had, as we have shown, if not actually

[1] Baillie i. 275. 'These [the separatists] and the rest, who are for the Scots' discipline, do amicablie conspire in one, to overthrow bishops and ceremonies, hoping when these rudera are put away, that they shall well agree to build a new house.' (Dec. 2, 1640.)

[2] Baillie i. 287. 'There was some fear for those of the new way, who are for the independent congregations; but after much conference we hope they will joyne to overthrow episcopacie, erect presbyterian government and assemblies, and in any difference they have to be silent upon hope either of satisfaction, when we gett more leasure, or of toleration on their good and peaceable behaviour.' (Dec. 28.)

caused the Reformation, at any rate effectually promoted it. Consequently England had remained much nearer not merely to the ecclesiastical institutions, but also to the general conditions of the middle ages, than the other Protestant countries. In them the change was made in open war with the prelates: in Germany, through an alliance of the lower clergy with the territorial authorities, which were invested with power enough for the purpose throughout the empire; in Switzerland by the independent action of the people at large: this in Scotland had gone so far as to frame a new ecclesiastical establishment. Just as the Stuart kings, in attempting to reduce the Scottish Church under the dominion of bishops, were running counter to its historical principles, so the attempt to destroy Episcopacy in England was an attack on the recognised foundations of the Anglican Church. There might be more justification for those who were induced by political considerations to attempt to set aside the bishops: for in England as elsewhere the alliance of Episcopacy with the crown had undoubtedly gone too far in the way of strengthening the royal authority: but when it came to overthrowing and annihilating Episcopacy altogether, or even to destroying its hold on the constitution and the country, the very bases of English society were assailed. Pym certainly thought that, since Parliament had formerly demolished monastic institutions, it was within its authority to treat Episcopacy in the same fashion. The objection was that the dissolution of the monasteries had not destroyed one of the chief branches of the legislative authority, and that the prelates at the time of the Reformation had co-operated heartily with Parliament, and though once in danger had been saved by the fact of their intimate connexion with the entire constitution of the country. Obviously this would be materially affected by their removal, and the preponderance of the Lower House finally secured; for what opposition could the Upper House without the bishops offer to its measures?

There were two distinct views as to the changes which ought to be undertaken in relation to prelacy. In January, 1641, the English clergy of Presbyterian sentiments, seven hundred in number, placed beside the root and branch petition one of

their own, which aimed not at the abolition but at a reform of the English episcopate. They desired to confine the bishops to their spiritual functions, and further to limit these, especially in respect to ordination and ecclesiastical censure, and to deprive them of a part of their revenues, and of their influence in the State, namely, their seat and voice in Parliament. In reference to the constitution of the legislative authority in the realm, there was no difference between the two programmes: but the latter did not interfere so fundamentally with the conditions of daily life. The relegation of the episcopate to its original functions was sure to meet with wider assent than its entire abolition.

Among the existing committees was one for ecclesiastical affairs: the first debate of the Lower House on this subject (Feb. 9) was on the question whether the two petitions, or only one of them, should be referred for consideration to this committee. The most conspicuous speakers were Lord Digby and Nathaniel Fiennes.

Digby remarked, that any one who looked merely at the abuses might very likely be disposed to cry out with the fifteen thousand petitioners, 'Down with the bishops!' but that in the great council of the nation men ought not to be thus swayed by passion. He recalled the services which the episcopal order had rendered since the Reformation, and the good repute which it enjoyed abroad even among the Protestants, as he had himself often observed. To try to establish in England a Presbyterian system would be a rash, an impracticable, an Utopian undertaking. He repeated what the King had already openly declared, that he could never assent to the abolition of Episcopacy, with the addition that the crown could not possibly spare the bishops. This was of course a reason why its opponents should not tolerate it. Fiennes rejected Episcopacy chiefly because its jurisdiction was opposed to the secular courts, and its natural policy hostile to that of Parliament. The sees and chapters with their dependencies he likened to old trees in a forest, which by their roots and wide-spreading branches prevent the young growth from coming up: if they are felled and uprooted the young trees will obtain fresh air, and there will be valuable timber also for the church and

kingdom. For already the idea was gaining favour of using the spiritual revenues to defray both earlier expenses and also those still being incurred for the maintenance of the two armies. Fiennes however met with considerable opposition. After the matter had been debated a whole day the vote seemed likely to go against him. Meanwhile however the question had been eagerly discussed in the city: although here both views found supporters, yet public opinion, as Baillie observed, was in favour of Episcopacy being rooted out totally and entirely. The petitioners were not going to be defeated at the first step. Next day they mustered at Westminster some two thousand strong, to lend support to their suit, as they said. And so great was the impression in fact produced by this demonstration, that a majority of about thirty-five declared for the reference of both petitions to the committee, which was at the same time completed in a corresponding manner, Nathaniel Fiennes and the younger Vane being added to it. Of the proceedings of the committee unfortunately but few fragments are preserved to us; by way of specimen, the questions about the authority claimed by the bishops were discussed with much ecclesiastical learning. Selden in particular, who already enjoyed a great reputation, defended Episcopacy with great earnestness and success. The committee however did not decide in favour of abolishing the constitution itself, conformably to the London petition. On the other hand, the views of the preachers found much favour: not only was it resolved that the exclusion of the bishops from temporal affairs was advisable, but their authority in certain spiritual functions was disputed, and the retention of the rich revenues of the chapters called in question[1]. On March 9 the committee reported to the Lower House to this effect. In conformity with the report the House two days later passed a resolution that the legislative and judicial authority of the bishops in the House of Peers, as well as their participation in temporal courts, was a hindrance to the discharge of their spiritual duties and generally injurious to the commonwealth,

[1] In Verney's Notes of Proceedings in the Long Parliament.

and that these powers might and should be taken from them by bill[1]. We see the wide scope of this resolution, which severely shook one of the chief foundations of the English constitutional edifice, as it had been framed in the course of centuries; it corresponded to the political tendencies of the time, but yet in contrast to the popular views of the day appeared altogether too moderate. The city mob, which saw itself checked in its course, was little contented therewith. The Scots saw in the resolution only a beginning of the good work: at present, said they, you are stripping off the roof, another time you will pull down the walls. They did not hesitate to address to the Upper House, before which the matter was now to come, a document drawn up by Henderson, in which they declared against Episcopacy altogether.

In the same paper the other affair was also referred to, which the Upper House had before it, and which was soon to concentrate on itself the almost exclusive attention of all men.

The Proceedings against Strafford.

The Commons had impeached the Viceroy of Ireland for high treason because he had attempted to overthrow the fundamental laws of England and to introduce arbitrary government. On January 30 they laid before the Upper House the grounds of the impeachment in twenty-eight articles[2]. When Strafford read the articles he took courage. He wrote to his wife that there was not a capital offence in any one of them: he hoped that these storm clouds would soon disperse, and that they should live to spend calm days together. It is an indication of his opinion, that he sought and obtained the King's leave to mention in his defence the

[1] Rushworth iii. 1. 206.

[2] The articles in order, with minutes of the prosecution and defence (evidence, exceptions, interlocutory passages, defence, reply), in Rushworth viii, 'Trial of the Earl of Strafford.' He was clerk of the House: 'I had,' says he, 'taken in characters all that was said for him, as what his accusers said against him.'

deliberations which had taken place in the Privy Council, in spite of the oath which he had sworn to observe secrecy.

The commencement of the proceedings before the Lords in Westminster Hall was delayed till March 22. Then the Lords took their seats in their proper order of precedence on the platform which had been erected on the floor of the Hall. The members of the Lower House sat on each side on benches rising in the form of an amphitheatre. Spectators' galleries had been erected, especially one for the King and Queen, who appeared there with their attendants. At 9 a.m. Strafford entered. The manly expression of his countenance was heightened by the marks of illness under which he was suffering: his whole bearing breathed confidence in his cause, gravity, and dignity.

The proceedings of the next few days related especially to Irish affairs. Not without a certain emotion Strafford replied to the accusations made by the Irish Parliament, which were given in evidence against him, that he thought to have earned the thanks of the nation. Among other charges was one of having taken the sum of £24,000 from the Irish treasury: he pointed out that he had been authorised by the King to spend Irish money to the amount of £40,000, and repeated with emphasis that he was an honourable man. Among the heaviest accusations was one of having kept a sentence of death suspended over a great Irish noble, Lord Mountnorris. Strafford was able to show that the sentence was pronounced without his participation, under the existing martial law, and at his prayer had remained unexecuted: he had wished merely to show the power of the State to the refractory. Many of the things laid to his charge the Privy Council had ordered, some the King had expressly dictated. He was accused of having desired to attach as much authority to the resolutions of the Irish Privy Council as to the acts of the Parliament there: he replied that a greater authority had always been allowed to the Privy Council in Ireland than in England, and that among a nation so little civilised it must be so. His defence, which was based on the distinction between the circumstances of England and Ireland, had in general more truth than the prosecution, which treated Irish

events in the same way as if they had happened in England. It was not everything that Strafford could or would justify: but he pointed out that the things which could justly be imputed to him could only be reckoned as slight offences: the sum of all these misdemeanours did not amount to one felony, and a hundred felonies were yet no treason, the three things being altogether distinct from one another.

With redoubled vehemence the prosecution attacked his influence over English affairs, in relation to which the violent measures that he had counselled in his speeches, the furious threats which he had employed against the citizens of London on their refusal of a loan, and above all the advice given by him to the King to dissolve the last Parliament, were imputed as crimes. Strafford calculated that none of this could be proved against him. But after some delay a private document was produced, which seemed to admit of no answer: it was the protocol of the sitting of May 5, already mentioned, in the hand of Sir Henry Vane. The younger Vane, who belonged to the separatist party, had found it among his father's papers, and without much hesitation had handed it to Strafford's enemies. According to this paper Strafford had on that day, in his eagerness to induce the King to make war on Scotland, reminded him of the Irish troops, of which he could dispose, and that certainly in language which might perhaps apply to England also[1]. We will not discuss the question whether Strafford would not have brought the Irish army into England had need arisen: his disposition renders it not improbable, but as a matter of legal evidence it did not follow from the words of the protocol, and he himself gave it an unqualified denial. What will be the end of it, he added, if words which are spoken in the King's Privy Council, half understood or misunderstood by its members, are to be turned into crimes; no one will any longer have the courage to speak out his opinion plainly to the King.

[1] 'You have an army in Ireland you may employ here to reduce that kingdom.' Protocol of Council. Lord Digby says 'the difference of one letter—here for there, or that for this—quite alters the case, the latter also being the more probable, since it is confessed that the debate then was concerning a war with Scotland.' Rushworth iv. 226.

There was no mistaking the fact that the whole produced a great impression on the Lords: the general voice inclined to the side of Strafford. The skill and unconquerable energy with which he defended himself against a whole multitude of enemies had influenced in his favour the feelings of the women especially, some of whom copied down the heads of his defence. Strafford's closing speech, in which he summed up all these, produced a deep impression on both friend and foe. It must in fact be reckoned as a remarkable piece of forensic eloquence, for its thorough discussion of single points, united with high and proud pathos. After it there seemed little probability of the accused being condemned by the Lords. The lawyers declared it to be unjustifiable, since nothing was treason except what was declared to be so by the express words of the Statute of 25 Edward III. They would not hear of a constructive proof, of which men spoke: even if it could be proved that Strafford had contemplated the overthrow of the law, that would after all be only felony and not treason.

Already it had been proposed in the Commons to try another way to their end. It was recollected that in earlier times men who had been impeached, and could not be convicted under the ordinary forms, had been declared guilty by the sentence of the legislative power, by a law in parliamentary form (Bill of Attainder). And this proceeding was deemed perfectly just, since Parliament was competent to make laws to meet every possible case, and could at all times define high treason [1]. On the introduction of the supplementary protocol, the Lords seemed inclined to accede to Strafford's request that he on his side should be allowed to bring forward new points. But the Commons thought they saw in this undue favour to the accused: one morning they quitted Westminster Hall with shouts of stormy impatience. When they met in the afternoon for their sitting the proposal to try that other course, which had already been prepared, and was at once proceeded with, met with a favourable reception: the Bill of Attainder was read for the first time. They did not

[1] State Trials iii. 1461.

blind themselves to the danger of thus offending the Lords, and causing a breach between the two Houses; but the sense of their own strength was already so fully aroused that they did not shrink from this: they rather let it appear that though the Commons were not Strafford's peers, but his accusers, they meant to pass sentence upon him; they would declare him and all his adherents to be traitors[1].

On Monday, the 12th, the debate on the second reading of the bill came on in the Lower House. On that occasion the initiative was taken by members of republican sentiments, like Haslerig and Martin. Neither Pym nor Hampden, the leaders hitherto, were as yet for this course; they were unwilling to break with the Upper House, which was very much irritated, and still trusted to its proving pliable. A final conclusion was not reached on this occasion. The second reading was agreed to, and took place at the next sitting two days later: but after further long and close debate it was resolved that the House, as committee, should be present to hear the arguments of Strafford's counsel with respect to the applicability of the existing laws to his case.

These were delivered on April 17. Attorney-General Lane argued that the Statute of Edward III, by which all the cases that can be treated as high treason are defined, was not applicable to the present case, either in itself or constructively. The Commons had chiefly relied on the proviso appended to the statute, according to which everything which Parliament might hereafter pronounce to be treason was punishable as such. The Attorney-General pointed out that this definition, after having entailed very opposite consequences through changes of parliamentary faction, had been altogether repealed in the first year of Henry IV, every one having felt that it was like a sword hanging over his head. This last argument appeared to the Lords conclusive: they decided that they had no right whatever to go beyond the letter of the Statute of Edward III.

The Commons heard this in silence; but they derived

[1] D'Ewes' Journal, in Sanford's Illustrations 337. There is a facsimile in vol. i. of Forster's Essays. But it must be remarked that this was not the last stage.

from it the impression that if Strafford was to be condemned it must be by their own action. When they came back to their bill, they at once entered on the question whether in fact the intention to overthrow the laws could be regarded as treason. Selden observed that according to the statute there was only one intention, that namely of killing the king, which could be treated as high treason. Even the purpose of taking up arms against him was legally not high treason: how then could an attempt to overthrow the laws be so regarded? In reply it was urged, among other points, that the reason why the intention to kill the king was treason was that it implied the overthrow of the laws. Finally it was resolved that the attempt to overthrow the laws should be treated as treason. Once more the actual charges against Strafford were discussed. The Commons took as sufficiently proven his acts of violence in Ireland, his support of the war against the Scots, finally his expressions about the dissolution of the last Parliament. But in general they did not attach much importance to legal evidence on the separate points. As a member said, we do not ask how many inches are required that a man should be called big or little—the sight determines that: so it is in the present case, we do not enquire how many unlawful acts will establish a charge of high treason, we all know that it has been committed. Once more Lord Digby, at an earlier period one of Strafford's bitterest opponents, rose to defend him. Once more he declared him to be the most dangerous man in England, and his intention to introduce arbitrary government into the country to be undoubted; but the intention imputed to him, of subjugating England with Irish troops, was unproved, and he could not fairly be condemned as a traitor. He ventured to say that this would be to commit a judicial murder. With all his eloquence he only succeeded in rendering himself an object of suspicion. By 204 votes against 59 the Bill of Attainder passed the Lower House [1].

Extremely remarkable are the grounds for this proceeding as put forward by Oliver St. John, on April 29, in a great conference with the Upper House, at which the King was

[1] Lord Digby's Speech, in Rushworth iv. 225.

present. He urged especially the absolute legislative power of Parliament, in virtue of which it was not bound, like inferior tribunals, by existing laws, but was justified in making new ones to suit circumstances: its only guide should be care for the public weal: it was the political body, embracing all, from the king to the beggar, and could deal with individuals for the good of the whole, could open a vein to let out the corrupted blood. It had been said that the law must precede the offence; that where no law was there could be no transgression: but that plea could not avail for the man who had desired to overthrow all laws: there might be rules for the hunting of hares, wolves were slain wherever they were found. Strafford had well known that the Lower House had the power of life and death[1]. Strafford had thought to be judged by the existing laws, and had always taken the most careful precautions to avoid acting towards them in such a manner that a capital charge could be brought against him. But now there was a power set in motion against him which did not consider itself bound by the letter of the statutes, and held itself fully justified in punishing not only his acts but his intentions.

When he heard St. John's speech he saw that he was lost: he raised his hands above his head, as if to implore the mercy of heaven. His case was not yet finally decided, but in order that he might be rescued events must have happened, and courses have been tried, which lay outside all regular government. In the violent agitation produced by the great questions involved, there was actually once a moment in which such a turn of events might possibly have been expected: this arose from the inner complications of the state and court.

[1] Mr. St. John's Argument, in the State Trials and in Nalson ii. 186.

CHAPTER IV.

ATTEMPT AT A REACTION.

It is extraordinary that amid all these storms men actively and zealously pressed for the high offices of state. Northumberland gave himself immense trouble to obtain for his brother-in-law, Leicester, the post of Lord Deputy of Ireland, or Secretary of State. He entered into negotiations with the elder Vane, with Hamilton, with every one who could in any way help him to this end: he even approached the King himself[1]. In fact the King was thinking very seriously of filling the most important places with members of the now dominant opposition. Cottington and Bishop Juxon, the former, so far as is known, by express agreement with the opposition, were dismissed from their high and lucrative offices, in order to save them from sharing the ruin of their party. The plan was formed of appointing in their places the Earl of Bedford as Lord Treasurer and First Minister, and John Pym as Chancellor of the Exchequer; the King hoped that by their means his income would be fixed, and among other things tonnage and poundage voted to him in perpetuity. The Secretaryship of State, vacated by Windebank's flight, was destined for Hollis, the post of Master of the Court of Wards for Lord Say. Other great offices were spoken of for Essex, Mandeville, and Hampden[2].

The direction of foreign affairs also was to be confided to new hands. The French hoped through parliamentary influence to detach the King entirely from Spain, and induce him

[1] Sydney Letters ii. 664.

[2] Clarendon, History of the Rebellion 90.

to interfere actively in general European politics. For this they chiefly relied on Lord Holland, who seemed to them the man best calculated to bring about an alliance between the two crowns. Montereuil was in perpetual communication with him; he can never sufficiently praise his devotion and zeal. One day Holland spoke to this effect to the King, who was very much pleased to find that France, by whom he feared that he was despised, desired an alliance with him[1]. It depended on this turn of politics whether or not the English royal pair accepted the proposal of a family alliance which came from the Prince of Orange: the Lower House received with satisfaction the news of this offer. The court had another and private motive, as expecting pecuniary and political support from the Prince, for whom it was of the greatest importance to enter into close connexion with a royal house. Lord Holland was on as intimate terms with the ambassador of Orange as with the French. His great hope was to make himself necessary, and so to attain to the leading position in England, which had ever been the object of his ambition.

It was now the openly expressed condition that whatever changes might be contemplated, royalty must not be further attacked. The King would not allow either the Viceroy of Ireland to be condemned to death, or Episcopacy to be abolished. The ministers, to whom he was compelled to entrust power, must shield him from the lowering of dignity and loss of authority with which he saw himself threatened. In fact ever since the first overtures of the court to the Lords of the Parliamentary party, the latter had, it was thought, inclined in favour of Strafford and the bishops[2]. If the Lords had had so great an influence in causing the outbreak of the troubles, it might be hoped that they would be equally powerful in lulling them to rest. But the growing popular

[1] Montereuil reports from Holland's account, 'Le comte d'Hollande—voyant que le roi se plaignoit, que la France méprisoit l'Angleterre, il avoit jugé àpropos de lui répondre, qu'il sembloit par ce que je lui avois temoigné, qu'on ne désiroit rien tant en costé de France, que d'entretenir une parfaite amitié entre les deux couronnes — à quoi ce roi avoit répondu, qu'il avoit fort agréable ce qu'il luy disoit.'

[2] Baillie, Letters i. 305.

tendencies were already become too strong to be mastered by any influence whatever. Political movements may be originated or promoted by personal interests; but an individual when he has attained his own ends can scarcely ever succeed in confining them within definite limits. Immediately the Lords saw their popularity diminish; and the Scots, who were supposed to have an understanding with them, were bitterly abused. Other circumstances, such as the death of Bedford, may have contributed to this result: but in the main it was the force of events which burst asunder the personal alliances that had been attempted.

The more obviously impossible a compromise proved to be, the stronger grew the sentiments of natural hostility. Perhaps the chief of all were shown in the case of the Queen, who already felt herself injured by the sharpness of the anti-Catholic resolutions of Parliament, wounded in her inmost feelings, and even defrauded of her rights. She had come to England on purpose to improve the lot of the Catholics: this was the concession made to her in her marriage contract. Now however she had to look on when a seminary priest, who had been several times banished, was condemned to death, and even hesitated to intercede in his behalf, since in that case the King would have exercised his privilege of pardon. The excited people demanded of Parliament that the laws should be carried out without relaxation: the Lower House requested the Lords to assist in discovering those who had interfered hitherto[1]: so that it seemed as if the Queen herself, or her personal following, would be made answerable for her intercession.

The proud and high-spirited daughter of Henry IV would not endure this. She had so great an idea of the importance of the dynasty from which she sprang that she complained of the absence of the newly-appointed French ambassador, little as she had had to praise in his predecessor while present, because forsooth she thought that he would resent the arrogance

[1] Jan. 23, 1640–1. The Commons desired their Lordships' assistance 'to discover such instruments as have dared to intercede for the interruption of public justice against such offenders.' Parl. Hist. of Jan. 29, ix. 168.

of Parliament, and defend her rights [1]. For she never doubted that her brother, Louis XIII, and his minister Cardinal Richelieu, would maintain the conditions upon which she had come to England. In February 1641 she formed the plan of going herself to France, on the pretext that her health required change of air. It was believed at the time, and doubtless with justice, that the most important and confidential persons in her suite had been active in instigating this purpose, because they themselves were afraid of being called to account by Parliament: Montague, since he was reckoned a great supporter of the Catholics, Jermyn as having been concerned with monopolies. Other members of her household, Goring, Percy, Croft, probably also the Duchess of Chevreuse, would have accompanied her. But while she sought to withdraw herself and her attendants from the indignities to which they were exposed, she calculated also on obtaining support in France. She desired to call attention to her own rights, as guaranteed by her marriage contract, and hoped also to awaken the old sympathy of the French for the English Catholics.

The English Parliament heard of her design with misgivings. They feared either a real reawakening of the old religious animosities between the two nations, or at least a breach in the friendly relations between the parliamentary leaders and the French government. Lord Holland hastened to warn the latter against Montague, as a man who would cause the greatest difficulties, since he had persuaded the Queen to take Strafford under her protection, which, through her influence with the King, would very greatly hinder the restoration of a good understanding with Parliament [2]. He declared that Montague had not the cause of religion at heart,

[1] Giustiniano, 15 Genn. 'Con molto desiderio attende la regina l'arrivo dell' ambasciator Francese [Montereuil was minister ad interim] sperando, che la presenza di lui ponga freno alla temerita di questi parlamentarii, che tentono d' interrompergli uso di quei vantaggi, che nel trattato del matrimonio gli furono accordati.'

[2] 'Le Comte d'Hollande dit, que la reyne portoit le roy à vouloir conserver le lieutenant d'Irlande, que Montague étoit auteur de ce conseil mauvais pour la reine, qui irritoit tout le parlement, et pour le roi qui devoit librement donner les mains à une affaire, dont il lui seroit difficile d'empêcher l'exécution.' (From extracts from Montereuil's despatches laid before the Cardinal.)

his reason for interesting himself in the English Papists being that they were friendly to Spain, and that if France wished to do any good to the Catholics, it would be better attempted through him, Lord Holland, and his influence with Parliament. He told the French ambassador one day in plain words that he did not desire the Queen's confidence if such people were to share it with him. Montereuil replied that it was not the wish of his government, which had no reason to care for these men.

The Parliament had in its power a decisive means of preventing the Queen's journey, which would have disturbed relations with France, and given her suite a new importance: it had only to apply to Cardinal Richelieu. He cared far more for a good understanding with the Parliament and its leaders, who possessed the power, than for the renewal of friendly relations with the court, which was of importance only when it was on better terms with Parliament. If Richelieu had to choose between the two, he could have no hesitation. Moreover the scheme of re-awakening the sympathy of the French court for the Catholics abroad was at variance with his policy.

Hard as it was to drive away from the French coasts the sister of the King of France, who was on the point of coming to Dieppe to breathe her native air and recruit her health, the Cardinal adopted this course without much hesitation. When the Queen's request was laid before him—it came through an English Catholic named Forster, who had always been on good terms with the French embassy [1]—he answered by a refusal. The manner of it was highly characteristic. He did not write himself, but in order that he might have no cause to fear any misrepresentation of his language, he let Forster take note of his words, and submit the report to him. The Cardinal said that the Queen would be welcomed in France, if the state of her health rendered it absolutely necessary, but if this were not the case, he prayed her to consider whether her journey did not admit of a little delay. Her absence

[1] Copie de l'escrit donné par Mr. Fauster au sujet du dessein que la reine d'Ingleterre avoit de venir en France, 18th May. (Paris Archives.)

from England would be injurious to the Catholic religion: besides, she would surely not leave her husband in the midst of his difficulties. Perhaps too it might be difficult for her to get back to England[1]. Another time, when the present troubles were removed, he would with pleasure welcome her in France.

The Queen was beside herself with rage when she received this answer. She said among her friends, that though the conduct of Parliament grieved her much, she felt the behaviour of the Cardinal more deeply still. She uttered much strong language in a very bitter tone, and is said to have added that for her life she would never set foot on the soil of France, unless to assert her husband's rights over it.

As however she must stay in England, she was in no way disposed peaceably to await further injuries. The course of events, the aversion displayed in many quarters to the violent measures of Parliament, powerful factions in all three kingdoms, awakened in her the hope of even yet being able to excite a reaction.

Above all there was known to be a royalist feeling in the army, which was still in quarters in the North. It was jealous of the superior care bestowed by Parliament on the Scottish troops: besides, it was unwilling to suffer the royal power to be abased, or to pass under the authority of the dominant faction in the Lower House. The Queen asserted later[2] that the impulse did not come from the court, but that the offers made were voluntary. The first to come forward were officers who had seats in Parliament, such as Captain Ashburnham, who sat for Ludgershall, Wilmot who sat for Tamworth, and especially Henry Percy, member for Northumberland. They considered that the army had grounds of complaint against the Lower House, and not against the King, who even in

[1] Some of these counter-arguments are taken from Montereuil's despatches. 'Lesquels,' he says, 'peuvent être encore appuyés de l'assurance, qu'a donné Mr. de Mayerne son medecin, que la reine de la Grande Bretagne n'avoit aucune indisposition, que l'obligeoit à respirer un autre air, que celui d'Ingleterre.'

[2] Gressy: Relation des conférences avec la reine d'Angleterre. She speaks of threats uttered against her and her husband 'ce qui les obligea d'accepter les offres que la pluspart des officiers, qui étoient lors sur pied, leur firent.' (July, 1642.)

these times found means to supply the wants of the soldiers, and they resolved to offer him their services. This was in March, when the great questions under discussion were inflaming the spirits of all. They calculated that if they could make sure of the Tower, and the army were to advance on London, Parliament would be obliged to accept the conditions that they might propose. These were three:—that Episcopacy should be maintained, that the crown should be endowed with an income equivalent to its former one, and that the army in Ireland should not be disbanded before the Scottish army had dispersed. Thus their scheme aimed not at the restoration of a non-parliamentary government, but at the combination of the parliamentary constitution with a strong monarchy and the old episcopal institutions. So at least their words implied. The Queen states that the majority of officers in the army were agreed on this. Among the leaders we find her personal friends: they had bound themselves together by formal oaths.

In Scotland a similar movement had been observed still earlier among those who had signed the Covenant. In the old castle of Merchiston is still pointed out a well-preserved room of that date, among the ornaments of which are conspicuous a crown and the cypher of Charles I. Here often assembled round Lord Napier a party of friends who felt themselves at variance with the anti-monarchical tendencies which the movement in Scotland had developed. Once in the last Scottish Parliament words had been dropped to the effect that they had no further need of the King, that they might depose him and introduce a new order of things. It is true that these men had from aristocratic *esprit de corps* opposed the earlier attempts of Charles I, but from the same feelings, obviously, they would not endure the domination of any party which might obtain the upper hand in the Committee of the Estates. In the young James Graham, Earl of Montrose, jealousy against Argyle, the most powerful member of the Committee, was united with a loyalty inherited from his ancestors, and now again called to life, to which he at times gave utterance in vigorous stanzas. Beside him was old Napier, who might be regarded as his second father, a

man of insight and resolution. Others joined these two, amongst them some of the chief nobles of the country, Home, Athol, Mar: so early as August 1640 these and others united after the Scottish fashion in a bond 'to oppose the particular practices of a few, from which the country was suffering,' with reservation of the Covenant, and to rescue from them the religion, the liberty, and the laws of the realm[1].

In the beginning of the year 1641 Montrose and Napier entered into direct communication with King Charles. They urged him to recognise the abolition of Episcopacy which had actually taken place in Scotland, and the constitution of the three estates—for they liked the bishops and their authority as little as did the other nobles—and then to come to Scotland and hold a Parliament in person. Among the attendants of Charles they found no longer any support in Hamilton, who had reconciled himself to the Scottish commissioners; but Traquair, Robert Spottiswood, and the Clerk Register Hay, were zealous in their favour. Traquair, when the commissioners continued to threaten, had sworn to mingle heaven, earth, and hell together before he would yield. The eyes of the two parties were turned to the next Parliament: each expected then to overpower its enemies, and give the vacated offices to its friends. Montrose and Napier calculated on gaining the support of the King, who allowed his presence to be looked for. The commissioners were in great agitation on the subject[2].

Although in Ireland, after the removal of Strafford, there had arisen a violent storm of indignation against his administration, and against the Privy Council which had supported him, yet by no means all were carried away by it. Among other facts we find that the Upper House postponed to a distant date the discussion of the grievances and complaints raised by the Lower House, and allowed the Chancellor, who had been accused by the Commons, to continue his duties as their speaker. Moreover there was the army which Strafford

[1] 'Finding that by the particular and indirect practices of a few the country does suffer.' Bond of Cumbernauld. Napier, Montrose i. 325.

[2] The letters of Johnston of Warriston to Lord Balmerino, given in Napier i. 301, are remarkable.

had raised: it had been recruited from among the hardiest natives of the Catholic faith, but still there were many Protestant veterans among them, and the officers were exclusively Protestant. In the Irish army the same spirit prevailed as in the English: it would not abandon the interests of the crown, and it would not allow itself to be disbanded.

In the meetings at which the spirit of military and loyal devotion to the throne was displayed, it was deemed possible to bring about a reaction against the tendencies dominant in Parliament. So far as can be ascertained, a project was arranged for liberating Strafford from the Tower, and setting him at the head of an army. The enlistment which had been sanctioned as for a foreign power might serve for the purpose of putting trustworthy troops into that fortress: great offers were made to Balfour, the governor, if he would co-operate. Colonel Goring, governor of Portsmouth, appeared so trustworthy that he was let into the secret of the enlistments. If there were once again a force which should declare for royalty, but in a moderate fashion, it was expected that support would be forthcoming for it in the remotest districts. In every discussion in Parliament the Lords had let it be seen that rebellion was as hateful to them as treason: they would not let themselves be overborne by a popular faction. The Bill of Attainder seemed to them an attempt to rob them of their privilege of being tried by their peers: many other lives, they thought, might be endangered in the same manner. They were fully conscious of the intimate connexion between the privileges they enjoyed and the royal prerogative[1]. Why might not all the strength of the clergy and the efforts of the Catholics be united in favour of a change of this kind?

It was assumed that support for such a movement would be forthcoming from France. The Queen had already let Montague go over, and the Parliament was certainly afraid of hostile interference from that quarter. In order to prevent it at the outset Lord Holland sent word to France that every favour shown to Montague would be an injury to the

[1] 'That they hated rebellion as bad as treason: that the same blood that ennobled their ancestors did move also in their veins.' Trials iii. 1462.

Parliament. Properly speaking, there was no need of these warnings. It may be affirmed with certainty that the Queen, after Richelieu's first refusal, had never approached him again. We have Montague's letters, and his purpose seems to have been to go to Rome: he cherished the hope of being raised to the Cardinalate, through the recommendations of the Queen, to which he expected to add French support. It was for this that he intrigued and wrote: at least he never had any communication on political matters with the leading men of the French government. Very probably when the Queen first planned a visit to France there was the idea in the background of seeking help from thence for a reaction against the Parliament; but if the Cardinal refused to allow her to cross over, a plan which was opposed to his policy was little likely to obtain support from him. In England there was some fear of certain transports which were being fitted out on the coast of Normandy, but it was known that they were destined for Portugal. It transpired that one or two captains of French mercenaries had been spoken to about an undertaking to be attempted in England, but this was done privately and without visible results. Nowhere as it seemed had matters advanced very far: every one was still occupied in preparations and hopes, when suddenly all was disclosed. This came to pass through one of the officers who had been most relied on, Colonel Goring, governor of Portsmouth. The Queen states that Wilmot and Goring had quarrelled about the post which each claimed as commander of the troops, and that Jermyn had vainly tried to reconcile them[1]. Goring asserts that he had demanded of the King an express sanction of the undertaking, but that he could not obtain it[2]. Both accounts are perhaps true. The King would probably have assented, had the thing been done without him, but he could not bring himself to resolve to authorise it. Goring however wished to have a retreat: these men, with all their hopes of success, were perpetually haunted by the thought

[1] Her narrative in Madame de Motteville, Pet. xxxvii. 98.

[2] He would not undertake the thing 'que sous un expres advœu du roi.' Aerssen to Orange, Archives de la maison d'Orange-Nassau iii. 487.

that failure would be their utter ruin; and merely to have known a matter of this sort and concealed it might be deadly. Colonel Goring, on whose co-operation the whole scheme was based, was induced to make communications to one or two Lords of his acquaintance. From them John Pym received intelligence, and so had a weapon put into his hands just when circumstances made it most useful.

CHAPTER V.

PARLIAMENTARY AND POPULAR AGITATION. EXECUTION OF STRAFFORD.

THE King was still very far from giving up his own or Strafford's cause. On Saturday, May 1, he declared that he would never again endure Strafford in his council or his presence, but that he thought him not deserving of death; and the Lords seemed of the same opinion. Equally little did it seem necessary to give way to the proposals against the bishops. On Sunday, May 2, the wedding of the young Prince of Orange with the Princess Mary of England, who however was but ten years old and was to stay longer in England, was celebrated at Whitehall. Charles himself presided with address and good-humour over the wedding festivities, and seemed to be well pleased with his new son-in-law. Once more a numerous court crowded with the usual zeal around the highest personages in the country. Yet at that very hour the pulpits of the city were ringing with fiery addresses on the necessity of bringing the arch-offender to justice: disquieting rumours were in the air and kept every one in suspense. The next morning, Monday, May 3, Westminster presented a disorderly spectacle. In order to throw into the scale the expression of their will on impending questions, which already had been so effective once, thousands of petitioners repaired to the Houses of Parliament: the members of the Lower House who had not voted for the Bill of Attainder, and the unpopular lords, were received on their arrival with insults and abusive cries. At the hour when the sitting of the Lower House ought to have begun—prayers were already over—all the members remained in profound silence. There was a presentiment of what was coming: the

attempt of the clerk to bring on some unimportant matter was greeted with laughter. After some time the doors were closed, and John Pym rose to make a serious communication. He said that desperate plots against the Parliament and the peace of the realm were at work within and without the country, for bringing the army against Parliament, seizing the Tower, and releasing Strafford; that there was an understanding with France on the subject, and that sundry persons in immediate attendance on the Queen were deep in the plot.

Pym might and did know that the French government was in no way inclined to take part with the Queen; and the Parliamentary leaders had already sent their joint thanks to Cardinal Richelieu for preventing the Queen's journey[1]. We must leave it in doubt whether Pym was notwithstanding led by the appearance of things and by rumour to believe in the possibility of an alliance between the French government and the Queen, or whether he merely thought it advisable to arouse the apprehension in others. His speech conveyed the idea that a plot was at work for the overthrow of Parliament and the Protestant religion, which must be resisted with the whole strength of the nation. The mob assembled outside the doors, where vague reports of Pym's exordium reached them, certainly received this impression. A conspiracy had been detected, as bad as the Gunpowder Plot, or worse, for massacring the members of Parliament, and even all Strafford's opponents among the inhabitants. The fact that the Tower, which commanded the city, was reckoned on for this purpose, caused an indescribable agitation. At times the cry 'To Whitehall!' was heard: at others it seemed as if the mob would go to the Tower in order to storm it[2].

With these tumultuous proceedings were connected a

[1] Montereuil, March 14, says of Richelieu's answer: 'Le comte d'Hollande les à trouvés conforme aux désirs de tous ceux, qui sont bien intentionnés—et qui souhaitent de conserver l'union des deux couronnes.'

[2] Aerssen, 5/15 May. 'Le déssein semble aller sur la tour.' 7/17 May. 'Le parlement est persuadé, qu'il a eu dessein de les faire tous tuer avec tous les habitans de cette ville, qui n'estoient marqués du caractère du Lieutenant.' Arch. de la Maison d'Orange-Nassau ii. iii. 459.

consistent and systematic series of decisive measures taken by Parliament. The strongest motive for agitation in England as well as in Scotland was the danger to religion: and a similar attempt was made to obtain security on this point. A kind of covenant was devised in England also, a Parliamentary and national oath, by which every man pledged himself to defend with body and life the true Protestant religion against all Popish devices, as well as the privileges of Parliament, and the liberties of the subject. Since in this oath the doctrines, if not the constitution, of the English Church were maintained, and the allegiance due to the King was mentioned, no great trouble was found in obtaining its acceptance by Parliament and the nation. Its importance lies in the connexion it established between Protestantism and the interests of Parliament: whoever took it pledged himself to defend the privileges of Parliament. Amid the general agreement it was not forgotten that an eye must be kept on the immediate sources of danger. The undeniable needs of the army were provided for, and precautions taken against any possible movement in that quarter.

For several days the rumour of impending danger grew: the French ambassador was warned at that time, as if he or his government had a share in the matter, and it might still at any moment be carried out. But in truth the disclosure of the scheme was equivalent to its defeat. Jermyn and Percy fled; other persons suspected or implicated were arrested: the Queen herself one day prepared to quit London. But she had nowhere to go to: she could not but be aware that the Governor of Portsmouth, with whom she intended to take refuge, had caused the discovery of the scheme [1].

Little as her attempt to cause a reaction may have been matured, it had nevertheless the effect of doubling the violence of the previous movement. The royal power itself immediately felt the force of the shock. The King had sanctioned the proposal to strengthen his hold on the Tower with trustworthy troops: the number of men that he desired to introduce was

[1] Montereuil asserts that the Queen's departure was prevented by his representations to her clerical attendants. Cf. the letter of Montereuil of May 13/23, printed in Mazure's Hist. de la Revolution iii. 424.

not more than a hundred, but even this now appeared a dangerous innovation. The commandant Balfour hesitated to admit the troops: the tumultuous mob directed against it a more urgent petition than ever. The Lords were induced to make representations on the subject to the King, who justified the arrangement on the score of his duty to provide for the safety of the ammunition stored in the Tower, but, in view of the popular agitation, did not insist on its being carried out. The Lords further empowered the Constable and Lord Mayor, if necessary, to introduce a body of militia into the Tower: and thus the control of the fortress which might keep the city in check began to slip out of the King's hands. The measures taken for the security of Portsmouth, for the arming of the militia in several inland counties for this purpose, and for the defence of Jersey and Guernsey, those islands seeming to be in danger from France, were in effect so many usurpations of the military authority of the crown, however well justified they may have been under the circumstances.

Out of the necessity for satisfying the English army arose an idea involving the most serious consequences. As the Scottish army must be paid, and the Irish disbanded, which was impossible without discharging the arrears due to it, new and extensive loans were needed. Yet who was likely to lend money to the Parliament, so long as its existence depended on the resolve and arbitrary will of the King with whom it had engaged in violent strife? As the only security for the capitalists, a provision was desired that Parliament should not be dissolved at the simple will of the King[1]. On May 5 a motion was made to this effect: on the 6th the special committee brought the bill before the assembled House: on the 7th it passed the third reading, and went to the Upper House, where it was agreed to after a few objections of trifling importance.

The fate of Strafford formed the central point of all these movements in the nation and in Parliament, of the tumultuous agitation in the one, and the far-seeing resolutions of the other. For new loans and for the payment of taxes one

[1] To assure the continuance of this present parliament from adjourning, proroguing, or dissolving, without the consent of both houses.

condition was on all sides insisted on, that the Viceroy of Ireland should first expiate his crimes by death [1].

The Lords had alleged the troubles as the reason why they could not immediately deal with the Bill of Attainder: but the continued terror at length made all further opposition impossible. The sittings were now attended chiefly by those in whom government by prerogative, such as Strafford aimed at, had awakened from the first a spirit of aristocratic resistance. And when an opinion of the Court of King's Bench was given, to the effect that on the points which had been taken as proved by the Lords, Strafford certainly merited the punishment for high treason, all opposition was at length silenced: the Bill of Attainder passed the Upper House by a majority of 7 votes, 26 against 19.

A deputation of the Lords went immediately to the King, to recommend him to assent to the bill on account of the danger which would attend a refusal. It was Saturday, May 8/18: in the afternoon the bill, together with the one for not dissolving Parliament, was laid before him by the two Houses, with a prayer for his immediate assent to both. Two or three thousand men had assembled at Whitehall to receive his answer [2]. To their great indignation the King deferred his decision until Monday.

The following Sunday was to him a day for the most painful determination—for what an admission it was, to recognise as a capital crime the having executed his own will and purposes. The political tendency, if fully carried out, obviously was to separate the crown from its advisers, and make them dependent on another authority than that of the King; to make the King's power inferior to that of the Parliament. Charles I had solemnly declared that he found the accused not guilty of high treason: he had given him his word to let no evil befal him, not to let a hair of his head be harmed. Could he nevertheless sanction his

[1] Giustiniano, 3 Maggio. 'Risoluti mostrandosi i sudditi, di non contribuire prima che ottenghino questa soddisfattione (che con la vita questo ministro paghi li falli).'

[2] Montereuil, 13/23 May. 'Ce qui ne contenta parfois 4 ou 5 m. h. qui estoient venus avec armes la plus grande partie.'

execution? Verily it was a great moment for the King: what glory would attend his memory had he lived up to his convictions, and opposed to the pressure put upon him an immovable moral strength! To this end was he King, and possessed the right of sanctioning or of rejecting the resolutions of Parliament: that was the theory of the constitution. But among the five bishops whom the King called to his side in this great case of conscience, only one advised him to follow his own convictions. The others represented that it was not the King's business to form a personal opinion on the legality of a sentence; that the acts which Strafford himself admitted had now been pronounced to be treasonable; and that he might allow the judgment without being convinced of its accuracy, as he would a judgment of the King's Bench or at the assizes. This may be the meaning of the doctrine, attributed to Bishop Williams, that the King has a double conscience, a public and a private one, and that he may lawfully do as King what he would not do as a private man[1]. But the constitutional principle essentially was that personal convictions in this high office should possess a negative influence. The distinction must be regarded as an insult to the theory of the crown, implying its annihilation as a free power in the State. King Charles felt this fully: all the days of his life he regretted as one of his greatest faults, that in this case he had not followed the dictates of his conscience. But he was told that he must not ruin himself, his future, and his house for the sake of a single man: the question was not whether he would save Strafford, but whether he would perish with him. The movement begun in the city was spreading throughout the country; from every county men were coming up to join the city populace[2]. From a letter of one of the best informed and

[1] Hacket's Life of Williams ii. 161. 'Since competent judges in law had awarded that they found guilt of treason in the Earl, that he (the King) may suffer this judgment to stand, though in his private mind he was not satisfied that the Lord Strafford was criminous.'

[2] Giustiniano. 'Gli parlamentarii espedirono lettere in paese con ordine da per tutto di celeremente qui incaminare gente ad oggetto di unirle a queste di Londra e d' intraprendere ogni piu temerario tentativo.'

most intelligent eye-witnesses we gather that the idea of appealing to the commons of the country against the King's refusal was mooted in the Lower House[1]. And so far as the assurances given to the Viceroy of Ireland were concerned, a letter from Strafford was laid before the King, in which he released him from his promise, and entreated him to avoid the disasters which would result from the rejection of the bill, and to sacrifice him, the writer, as he stood in the way of a reconciliation between the King and his people.

So it came to pass that on May 10 the King commissioned Lord Arundel and the Lord Keeper to signify his royal assent to the Bill of Attainder. The next day he made another attempt to return from the path of justice to that of mercy. Would it not be better to consign Strafford to prison for life, with the provision that for any participation in public affairs, or attempt at flight, his life would certainly and finally be forfeited. He asked the Lords whether this was possible: they replied that it would endanger himself and his wife and children. For no relaxation was to be obtained from the universal disposition both in Parliament and in the city. Unless the King gave way it would be scarcely possible to maintain his government any longer.

At the news of the King's submission Strafford exclaimed, 'That no one should trust in princes, who are but men.' The genuineness of his letter has been denied, it being supposed that others wrote it, in order to remove the King's personal scruples: but a thorough examination of the fact removes every doubt[2]. Though Strafford confirmed in his own person the experience expressed in the words of Scripture, he himself with his last words gave, with high-minded forbearance, the opinion that it was necessary to sacrifice him, in consideration of the general circumstances and of the possible consequences.

Strafford went to the scaffold in an exalted frame of mind. On his way he saw Laud, who at his request appeared at

[1] Letter of Johnston, in Napier, Montrose i. 353. 'If it sticks at the King's refusal, they are to make a declaration of all to the commons of England.'

[2] Hume, Hist. of England. vol. vi. note aa, p. 580.

the window of his prison. The Archbishop was unable to speak. Strafford bade him farewell, and prayed that God might protect his innocence; for he had no doubt that he was in the right in fulfilling his King's will, and establishing his prerogative. He persisted that he had never intended either to destroy the parliamentary constitution, or to endanger the Protestant Church. He did not appeal to the judgment of posterity, as if he had been conscious that great antagonisms are transmitted from generation to generation: he looked for a righteous judgment in the other world.

Such moments must come, in order to bring to light the absolute independence of success and of the world's judgment which strong characters possess.

His guilt was of a nature entirely political; he had done his best to guide the King in these complications, undoubtedly in the belief that he was right in so doing, but still with indiscreet zeal. So also his execution was a political act: it was the expression of the defeat which he had suffered and occasioned, of the triumph of the ideas against which he had contended to the death.

The King, some weeks earlier, had been unable to assent to a violent attempt to rescue the man who had most strongly maintained the privilege of his crown: he would henceforth do nothing outside the law. When the forms of the parliamentary state brought about the condemnation to death of this champion of his prerogative, he had not the strength to set his word against it. In order not immediately to endanger his crown, himself, and his family, he signed the bill which the two Houses presented to him.

CHAPTER VI.

CONCESSIONS AND NEW DEMANDS.

KING Charles thought that he should be able to direct the government in spite of the preponderance of parliamentary power. At the same time with the attainder of Strafford he signed the bill which made the dissolution of Parliament dependent on its own consent. He expected that this would be given when the pressing questions were settled. His own conviction seems to have been that hitherto he had grasped at too much, and he induced himself to make other great concessions.

He had already allowed the substitution, in the patents of appointments of the judges, for the clause which made their tenure of office dependent on the pleasure of the government, of another which made it depend on good behaviour[1], and so put an end to that arbitrary removal of judges which made them subservient to the government. This was a change of universal political significance, since the dependent position of the bench of judges was recognised as the origin of those decisions in favour of the crown on which the government had based its pretensions. Now however all those courts were attacked which, at least in part, had served as instruments of arbitrary power, especially the Court of High Commission, by which the spiritual jurisdiction had obtained absolute authority over every deviation from the principles of the Anglican Church. Next, the Star Chamber, which through the form of its procedure, that de-

[1] The words 'durante bene placito' were changed into the words 'quamdiu se bene gesserint.'

cided alone on the facts, the law, and the punishment, and through the extent of its functions and its harshness even in doubtful cases had incurred universal hatred [1]:—finally the special courts in the northern counties, which had withdrawn a third of the realm from the ordinary course of justice. The original idea had been merely to reform them; now however that full political preponderance had been obtained, it was resolved to abolish them, so that the common law, which was intimately connected with political liberty, might everywhere be re-established. The jurisdiction also of the Privy Council was confined within narrow limits. The principles of the Petition of Right in respect to personal liberty now obtained fresh confirmation. The true ground for arrests was always to be assigned, and a decision taken before the court within three days as to its legal validity. The King hesitated a moment when the bills for the abolition of the Star Chamber and High Commission were presented to him, saying that he well knew that thereby he should abandon various fundamental arrangements made by his ancestors for the government of Church and State. Nor indeed was their abolition approved on all hands; for the Star Chamber had served to tame the ambition of the great vassals, and the High Commission to hinder the perpetual rise of new sects, of which the country was very fruitful. Moreover the loss of the fines, which formed part of the revenue, was taken into account [2]. But the King would not oppose his own to the general interest: he wished to put an end to all dread of future oppression in Church and State, in order to restore mutual confidence. He spoke to this effect in accepting the bills about the Star Chamber and High Commission. He said that he thought none could be discontented with him who considered what he had conceded to the present Parliament,—greater independence to the judges, triennial parliaments, the perpetual right of granting tonnage and poundage, against the custom of his ancestors; finally, the abolition of ship-money. He had also given up

[1] Hallam's Const. Hist. ii. 196. Blackstone's Commentaries iv. 230. Clarendon's Hist. of the Rebellion iii. 121.

[2] Giustiniano, July 19, reckons them at £250,000.

the restoration of the old forest boundaries, allowing them to remain as they had been in the twentieth year of his father. He could not admit that the people had had a right to these concessions: he held firmly to the view that all was free gift in favour of his subjects, on whose confidence and obedience he might now more than ever reckon[1].

He assented to the dismissal of his two armies, the English and the Irish, convinced that the Scots, now that their demands were satisfied, would quit English territory. He himself wished to go to Scotland, according to his promise, and hold a Parliament there.

It really seemed as if the King was willing to accept his present position, to abandon not only the views which he had before prosecuted, but also the modes of government of his ancestors, so far as they were inconsistent with the restrictions imposed on him. Some of the chief foundations of the royal authority which the Tudors had enjoyed had been removed. But who could assert that the crown could not be worn, and be worth wearing, under these conditions? On the other hand it is clear at the first glance how hard this must again become.

There was some importance in the fact that Charles I was a born king, with a definite idea of inalienable rights and duties necessary to be fulfilled, an idea all the more potent in the indefinite state of the constitution and of the limits of parliamentary power. The party from which the great impulse proceeded, and which controlled the debates with its majority, had made a start which would carry it beyond the limits of the old constitution. Questions were already being raised, and tendencies exhibited, which implied a new and thorough transformation.

In the very foreground appeared the religious question. The matter of the two petitions relating to church affairs had in due time been brought before the Upper House, and referred for discussion to an ecclesiastical committee composed of lords of both parties. By it a sub-committee was appointed, in which distinguished theologians of both Anglican and

[1] Speech of the King, July 5. Nalson ii. 327.

Presbyterian opinions, Prideaux and Hacket, as well as Burgess and Young, took part. The chairman of both was the astute Williams, who had returned from the prison in which Laud had confined him, to his seat in the Upper House. They busied themselves with reversing Laud's arrangements, and with the complaints against his government, but they had no idea of touching on the constitution of the English episcopate. Men like Williams lived in the union of two forms of activity, the spiritual and the temporal. How was it to be expected that the bishops would rob themselves of their seats in the Upper House? The temporal lords also were mostly against it.

Among the grievances of which the populace complained in the turbulent days before Strafford's condemnation, one of the most important was that in spite of all petitions the affairs of the Church were not put in order in a truly Protestant sense: immediately after his execution the matter was taken up afresh. In the prevailing temper it will easily be understood that they then reverted to the decided demands of the London petition. The bill had a near political interest, in so far as it corresponded to the incessant demands of the Scottish commissioners for conformity. But they did not rest only on the Presbyterians. Several men of separatist opinions, Oliver Cromwell, the younger Vane, Haslerig, had allied themselves to the movement[1]. On May 27 a bill for the entire abolition of the Anglican establishment was introduced. Archbishops and bishops, chancellors and their commissaries, deans, archdeacons, and other chapter officials were henceforth to exist no longer in the Church and realm of England; and the King and two Houses of Parliament were to dispose of the lands, houses and rents attached to these dignities and offices. After all that had happened this motion nevertheless caused the greatest sensation, for none of the changes which had preceded it were at all like this. Neither ship-money nor Star Chamber, neither Strafford's death nor Laud's prosecution were comparable to this attempt to overthrow the church government of

[1] Deering, in Nalson ii. 247.

England, and introduce a new one. The proposal was that in every diocese commissions should stand in the place of the bishops. The plan found more support in the Lower House now than formerly; the second reading was carried by a majority of 139 votes against 118. An objection had been taken that they ought to wait till the Lords had definitely decided on the first moderate proposition, which had not yet taken place. They did so just at this time (June 7). Even under these circumstances their decision was in the negative; for the Lords would not lend a hand to a change even in the political position of the bishops whereby the Upper House would be transformed. The result however was that the new bill was pressed with greater zeal than ever.

On June 11 the House resolved itself into a committee to discuss it. Edward Hyde, who was in the chair, asserted at a later period that though he could not himself speak in the debate, yet he had hindered the progress of the measure by giving preference to the speakers who rose in opposition to it[1]. But we know well the almost insuperable difficulties involved in the nature of the case. How should a measure not meet with opposition which proposed to alter the definite position of one of the greatest powers in the state, the House of Lords, and to abolish totally that ecclesiastical authority which had existed ever since the introduction of Christianity into England, and had not only survived the Reformation, but largely contributed to it. Episcopacy had grown up in the closest connexion with all English institutions. If the guilt could fairly be imputed to it of having shared in the last encroachments of the royal power, it seemed sufficient, as the Upper House had determined, to reverse the acts tending in this direction, and restore the previous order of things. The opposition however was redoubled when it came to the question of replacing this institution. It was proposed to establish in each diocese an authority analogous to the episcopal, which should be moderated by the participation, in some form or other, of the remaining clergy. Besides, there was an agreement between the two parties as to the

[1] Lister's Life of Lord Clarendon i. 113.

removal of the bishops, none as to any substitute for them: on this point their wishes and purposes were in direct opposition. Even under another chairman there would have been some difficulty in coming to a conclusion: but neither his dexterity, nor the intrinsic complexity of the matter, prevented some fundamental parts of the bill and reasons for them being agreed to by the majority[1]. This was quite a different thing from the mere petition of the London citizens: a bill drawn on more advanced principles now threatened the very core of the ecclesiastical body with complete removal.

Meanwhile John Pym was proceeding with no less comprehensive proposals to a thorough reform of the political administration. There was a talk of the long-meditated journey to Scotland, which the King would no longer postpone. In a conference with the Lords (June 24), Pym brought forward a number of proposals which it was desirable to settle before this journey was undertaken. The sum of them was that the King should dismiss those of his councillors against whom there was just ground of complaint, and entrust his affairs to officers in whom Parliament had reason to place confidence[2].

The removal of an unpopular minister, even if so strong a step should frighten others who were inclined to follow in his footsteps, was not the final aim of Parliament: it would no longer endure in the highest offices of the court and state either secret or open opponents. The King was warned not to let matters go so far as that their names should be mentioned. The Prince of Wales in future ought to be surrounded by men publicly held by Parliament to be trustworthy: neither Jesuits nor Capuchins were to be endured in the Queen's household: no one who entered England with instructions from the Pope was to enjoy the protection of the law: if the King left the country a guard of trusty nobles was to prevent any Popish intrigues of the Queen's court. The internal administration of the realm

[1] Journals ii, June 12.

[2] The ten propositions of the Commons, in Nalson ii. 310:—the 3rd head about his Majesty's counsells.

was to be ordered in the same way: none but adherents of the Parliament should hold the chief posts in the counties, or be entrusted by them with subordinate offices. With these was combined the idea of joining in an oath by which the obedience of the officers and militia to parliamentary ordinances should be secured, and of placing in safe hands the ports of the kingdom and the command of the fleet.

Various motives may have conspired to produce these resolutions; the renewed mistrust of the households of the King and Queen, which naturally held to the prerogative of the crown, imitation of the Scots, and rivalry with them, in so far as they aimed at exercising a separate influence over the King, above all the logical development of the principles already adopted, which could tolerate no independent action of the crown. On the occasion of the King's journey these tendencies of the predominant party in the Lower House obtained the fullest expression. It was proposed that for the time a deputy or *custos regni* should be appointed, to give the requisite sanction to the bills that passed the two Houses, or that royal functions should be entrusted to the Prince of Wales, who was still too young for a will of his own, perhaps to the Elector Palatine, who was very needy: it is even said that words were uttered to the effect that there was no need of monarchical forms[1]. If so, this was the first time that republican sentiments were expressed in the debates of Parliament.

These things however were as yet far off. Though some of the Lords agreed with the Commons, there was always in the Upper House a majority which opposed them in decisive moments.

It is plain, nevertheless, that the movement was entering on a new stage. A simple restoration of the constitution to check the encroachments of the crown would no longer suffice. The barriers were in danger of being broken down which the constitution itself placed in the way of the dominant faction.

[1] So Giustiniano declares 'redurre la monarchia a governo democratico.' In the Diurnall Occurrences it is only mentioned on the 27th of August: 'both houses sate till 10 o'clock at night but could not agree upon anything.'

The King on his side was resolved not to let himself be dragged so far. He believed that the church and monarchy, and their mutual connexion, were too well established in England to be very easily overthrown, and thought that he could easily defend them both, if he could only separate the affairs of Scotland from those of England; for he referred to this inter-connexion all the misfortunes which had befallen him. This was the chief object of the journey to Scotland for which he was preparing. Among his advisers some even of those who were reckoned moderate men cherished this idea. 'If you may overcome all difficulties there (in Scotland) I believe it will not be difficult for you to put all things here (in England) in good order,' wrote his secretary, Master Nicholas.

CHAPTER VII.

CHARLES I IN SCOTLAND. THE IRISH REBELLION.

In the middle of August 1641 Charles I reappeared in Scotland after eight years' absence. What restlessness had since pervaded the country from end to end! how completely altered was the position of the King! In the year 1633 he had begun to establish the monarchical and despotic system which he had in view: in 1641 he was obliged to accept and confirm maxims entirely contrary to it.

He assented to the acts of the Assembly at Glasgow and of the Parliament of 1640: he gave up the bishops in Scotland and submitted without further hesitation to those claims of parliamentary power against which he had striven so long and desperately: he ratified the treaty already concluded by touching it with his sceptre. But all was not yet over. On September 16 a new act was read, by which the nomination to the most important offices in the administration of the state and of justice was made dependent on the approval of Parliament. The King said that he accepted it in order to supply a need which the country might experience through his absence: he would in future let his Privy Council consist of a fixed number of members, never to be exceeded, according to the advice of the Estates: he would lay before them a list of those to whom he thought of confiding the great offices of state, and hoped that it would meet with their approval. 'At this gracious answer,' says the old journal, 'one and all rose and bowed themselves to the ground [1].'

[1] The diurnall of the second parliament of our sovereign lord, King Charles. In Balfour, Annals iii. 65.

The King's chief object was to content the Scots, and separate their cause from the English. The events of the last year had convinced him that the connexion of Scottish and English affairs had involved him in all his troubles. The late projects, which were so contrary to his views, especially the attack made by Parliament on the bishops, he ascribed to Scottish influence. He believed that he could manage to resist in England if he could only pacify Scotland, but for this purpose concessions were indispensable. Even those royalists who followed Montrose, and had long sought to ally themselves with him, demanded these as absolutely necessary.

Even by these however his chief opponents were not won. The party in religion and politics which depended on Argyle, and had alone wielded the supreme power, was unwilling to lose it through new appointments, or even to share it with those who had hitherto opposed them: they accepted the King's concessions, but at every fresh step opposed him again.

The King could appoint neither chancellor nor treasurer to please himself, so long as Argyle opposed him. At first a compromise was effected, by which Loudon, the very man whom Charles had wanted to treat as a traitor on account of his letter to the King of France, was elevated to the chancellorship. The King regarded it as a point of honour to save the men who had been conspicuously true to him from the anathema denounced against them in Scotland: the terms of an oath which Argyle had carried through the Assembly were so conceived that the clergy doubted whether it could possibly be interpreted in the King's sense. We know the King's predilection for Hamilton: now came the shock of finding that the friend who had advised most of what he had done against the dominant faction in Scotland himself joined that very party. To save his life Hamilton had allied himself with the Scottish commissioners, who again were dependent on the committee, at the head of which was Argyle: he now openly made common cause with the latter, and in Argyle's enemies saw his own.

During these party conflicts some very unexpected scenes happened. Hamilton and his brother Lanerick quitted Edin-

burgh one day with Argyle, as their lives were in danger in the neighbourhood of the King, who inclined to their opponents. Thereupon the King, who regarded this mistrust as an insult, betook himself with an unusually numerous train, including all those whom he had taken into his protection, to the Parliament. It almost seemed as if he meant to use force against Argyle's adherents. The rumour was spread that the fiercest and bitterest enemies of Hamilton, Kerr and Home, and their borderers, had been summoned to attack him. The consequence was that the other party armed also, and eventually gained the upper hand. After a fortnight's absence Hamilton and Argyle returned, the latter more powerful than ever in Parliament. The second and third estates, the barons and burgesses, did nothing without him. Though here and there a preacher drew to the King's side, most of them filled their churches with all the louder complaints against the plots which were being formed [1].

Unless Charles I were willing to break with the Parliament he had no choice but to make terms with the men of this party. Argyle was consulted on all weighty matters: in the nomination to offices, his friends, the determined supporters of the covenant, obtained the preference. Instead of the treasurer designated by the King a commission was named on which sat friends of Hamilton and Argyle. Lesley, who belonged to this party, was created Earl of Leven with all the pompous formalities of earlier times, and Argyle was advanced to a marquisate.

Men could not understand the King's promoting his adversaries and passing over his supporters, and bitter complaints were uttered against him. But it was not his choice: it was necessity arising from the weakness of his friends and himself. These last concessions, like the earlier ones, originated in his plans for England. He obtained a promise from the men whom he promoted, namely, Argyle, Loudon and Lesley, that they would not interfere with religious affairs in England, nor ever help the English therein: they pledged

[1] Relation of the Incident, for so this event is termed. '5–600 following his coach, amongst whom were all those that were cited to the Parliament, and likewise those that were accused to have been of this plot against us.'

him their honour, as he asserted, that they would not[1]. He meant to separate the ambition of the dominant Covenanters from the interests of the parliamentary party in England. For his attention was devoted almost entirely to England, as everything depended on depriving the revolutionary leaders there of the support which they derived from their connexion with the Scots. The sequel must show whether he was not deceiving himself, whether his old enemies now in favour would at a later time keep their word: but the whole question did not depend on this uncertainty. The result of the King's present dealings was that the Scots attained the independence which had been their object from the beginning, their leaders retained the posts which they had as it were conquered, the influence of the crown was virtually annulled. In comparison to this practical result all the King's schemes were of minor importance. For in events once accomplished there is a strength, independent of the combinations which produced them, which causes further consequences and reactions.

Through the disturbance of the universal order of things in the British islands, there was awakened a general and full consciousness of the elements of which they were composed, which found vent in movements that mocked at the union to which they had hitherto been subject.

The Irish Rebellion.

The government which Strafford had established in Ireland fell with him, the office of viceroy was entrusted to some of the judges, and shorn of the powers which gave it authority over the whole country. The Irish army, which had been formed with so much difficulty, and maintained in spite of so much opposition, was disbanded without any attention being vouchsafed to the King's wish that it should be allowed to enter the Spanish service. Martial law, even for cases of rebellion,

[1] Despatch of the French minister Sabran, 20 March, 1645. The King assured him, 'qu'il avait tiré serment sur leur foi et leur honneur du chancelier d'Ecosse, du comte d'Argyle et de Leslie, que jamais ils ne se mêleroient de la religion d'Ingleterre et ne l'assisteroient jamais à ce sujet.'

was virtually at an end; the High Commission in Ireland also was declared a general grievance and was abolished. Under the influence of events in England government based on prerogative, and on its connexion with the English hierarchy, as it had existed in Ireland since Elizabeth's time, fell to the ground.

This revolution however might entail important results. The Irish people was Catholic: while the Protestant settlers were split into two hostile factions, and thereby the highest authority in the land, which bore a really Protestant character, was systematically weakened and almost destroyed, the thought of ridding themselves of it altogether was sure to arise in the nation. The steed, never completely broken in, felt itself suddenly free from the tight rein which hitherto it had unwillingly obeyed.

The contending principles contributed also to bring about this result. For it had been part of Strafford's system to allow some toleration to the Catholics: they had been by him introduced into the army; he had winked at a crowd of priests from the Spanish and Netherland seminaries entering the country and acquiring an ecclesiastical authority to which the natives willingly submitted. On the other side the national religious constitution which the Scots had attained by their example induced the Irish to attempt the same thing, but in the Catholic sense appropriate to their case. No doubt the old Irish antipathy of the natives against the Saxons was stimulated thereby; how could it be otherwise? Still it was the common object of all Catholics, alike of Anglo-Saxon and of Celtic origin, to restore to the Catholic Church the possession of the goods and houses that had been taken from her, and above all to put an end to the colonies established since James I, in which Puritan tendencies prevailed. The Catholics of the old settlements were as eager for this as the natives.

The idea originated in a couple of chiefs of old Irish extraction, Roger O'More and Lord Macguire, who had been involved in Tyrone's ruin, but were connected by marriage with several English families. The first man whom O'More won over was Lord Mayo, the most powerful magnate of old

English descent in Connaught, of the house of De Burgh, of whose ancestors one, a half-brother of William the Conqueror, came over with him to England; another came to Ireland with Henry II[1]. The best military leader in the confederacy, Colonel Plunkett, was a Catholic of old English origin: he had numerous connexions among the Catholics of Leinster, and had preserved through the wars in Flanders the religious enthusiasm which led him thither. Among the natives the most notable personage was Phelim O'Neil, who after having been long in England, and learning Protestantism there, on his return to Ireland went back to the old faith and the old customs: he was reckoned the rightful heir of Tyrone, and possessed unbounded popular influence.

The plan for which the Catholics of both Irish and English extraction now united was a very far-reaching one. It involved making the Catholic religion altogether dominant in Ireland: even of the old nobility none but the Catholics were to be tolerated: all the lands that had been seized for the new settlements were to be given back to the previous possessors or their heirs. In each district a distinguished family was to be answerable for order, and to maintain an armed force for the purpose. They would not revolt from the King, but still would leave him no real share in the government. Two lords justices, both Catholic, one of Irish, the other of old English family, were to be at the head of the government. In the Parliament, which should no longer be in any way subordinate to the English, the clergy also were to have seats and voices. In the negotiations which preceded the rising, the question had already been discussed, what should be done with the Irish Protestants in case of victory. At a meeting of the political and spiritual leaders held on St. Francis' day in the Franciscan convent at Mullifarvan in Westmeath, this question, as well as the form of the future state, was taken into consideration. The advice of the monks was to drive them out, as Philip III had driven the Moors out of Spain, without staining the land with their blood. Others

[1] Narrative of Macguire, in Nalson ii. Carte, who denies it, tries in vain to clear the old English Catholics of all participation.

remarked that that prince would have done better to destroy the Moors, since a lasting evil, the strength of the pirate states, had been increased by his clemency: in the same way it would be better to exterminate the Protestants in Ireland than to incur their future hostility—a consideration of disastrous omen. We do not hear how they decided at the moment, but the sequel showed what feelings were supreme in their hearts.

The preparations were made in profound silence: a man could travel across the country without perceiving any stir or uneasiness. But on the appointed day, October 23, the day of St. Ignatius, the insurrection everywhere broke out. In Ulster the O'Neils, under the leadership of Phelim, succeeded in obtaining possession of Charlemount, which commanded one of the most important points on the northern roads. The O'Guires surprised Mountjoy; the O'Hanlons Tanderagh in the county of Armagh, and Newry, where they found arms and powder: in the county of Monaghan all, in Cavan, where the sheriff himself headed the rising, nearly all the fortified posts were seized; here and there the government troops, where they met the insurgents, carried away by their impulses, made common cause with them. The insurrection, however, did not fully attain its object. The chief attack was directed against the castle of Dublin, where they hoped to gain great supplies of arms and military stores; and then, with the co-operation of the inhabitants who sympathised with them, they would have been in a position to defy the attacks of England. This did not seem a hard thing to achieve, for the government, which always liked to do the exact opposite of what Strafford had done, had neglected military matters; it had no troops in the city, and the castle was very insufficiently garrisoned, so that it might apparently have been captured by two hundred men. Perhaps it may be affirmed that the English dominion in Ireland was saved through some natives of Irish origin having been won to Protestantism. The conspirators applied to one of these, Owen Conolly, to gain his accession to their cause. He was an opponent of Strafford, as such had come into contact with the zealous Puritans during a short stay in England, and by

them had been strengthened in the Protestantism which he had always professed[1]: he abhorred the religious tendency of the Irish rising, and on the evening of the 22nd gave information. The government awoke from perfect security to a sight of their terrible danger: they had still just time to arrest the leaders who were already in the city, and to secure the gates of the castle and city, so that those who came up, seeing that they were discovered, obeyed the order to disperse. Several other places also held out, as Londonderry and Carrickfergus, and afforded places to which the Protestants might fly. But no one can paint the rage and cruelty which was vented, far and wide over the land, upon the unarmed and defenceless. Many thousands perished: their corpses filled the land and served as food for the kites. The elemental forces, which hitherto had been repressed by the strong hand of the government, arose in the wildest licence: religious abhorrence entered into a dreadful league with the fury of national hatred. The motives of the Sicilian Vespers and of the night of St. Bartholomew were united. Sir Phelim, who at once was proclaimed Lord and Master in Ulster, with the title of the native princes, as Tyrone had been, and who in his proclamations assumed the tone of a sovereign, was not at all the man to check these cruelties. Rather cast upwards by a sudden eruption, than raised by his own services and exertions, he added fuel to the flame already kindled: either when drunk, or when for a moment he believed himself in danger, he ordered the massacre of all the prisoners. Or did this happen in consequence of their deliberations? Did they wish to put an end for ever to the claims of the rich settlers by taking their lives? With all this letting loose of ancient barbarism there was still some holding back. The Scottish settlements were spared, although they were the most hated of all, for fear of incurring the hostility of the Scottish as well as of the English nation.

Immediately there was a rising in the five counties of the old English Pale: the gentry of Louth, under the leadership

[1] Sanderson 438. 'A gentleman of a meer Irish family, but a true Protestant by a long conversation with the English.'

of the sheriff, took the side of the rebels. The younger men of Meath assembled on the Boyne, and commenced hostilities against the Protestants: so completely had their religious sympathies prevailed over their patriotism. They told the King that being in the midst between the government which mistrusted them and forbade them arms, and the advancing rebels, threatened on both sides, they had no escape left except by joining the latter[1]. This agrees with their original suggestion that if they sought him he might treat them no worse than the Scots: if he would be gracious to them, they would shed the last drop of their blood for him.

As the Scots had won from the King the recognition of their national and religious independence, so also the Irish aimed at a national and Catholic independence. There is certainly a resemblance, but a far greater difference. In the one it was a controversy which found vent, as it were, prematurely in violent demonstrations and domestic feuds; the other was one of the most cruel insurrections recorded in history.

The King received the first tidings of the Irish rebellion while in Scotland; he immediately informed the Scottish Parliament and begged their aid. The Scots declared themselves ready, but delayed to see what would happen in England. The King, who regarded the cause as his own, in spite of his distressed circumstances contrived out of his own means to send over a small force of 1500 men under experienced commanders: this was the first succour which the Protestants received, and it gave them courage, and contributed greatly to make the strong places that had not surrendered in the mean time hold out to the end. False as it is to accuse Charles I of having himself secretly taken part in this Irish movement, it is undeniable that it was not altogether hostile to him. It was above all a reaction against the form of government derived from the Puritan parliamentary principles in England. The Irish Catholics told the King, that it was because he, in the fulness of his

[1] This apology, as well as another addressed to the Queen, proves clearly that the authority to seize the goods of the Protestants, which the Irish professed to have received from the King himself, was a deliberate invention, as was maintained from the first moment. If not, how came the Catholics not to refer to it?

princely love, granted them some religious liberty, that the English Parliament, envious of their good fortune, diminished his prerogative: it desired to call the Scots to its assistance, and with the Bible in one hand and the sword in the other to extirpate Catholicism in Ireland. It is obvious that Ireland in its native condition could exist very well under a monarchy clothed with extensive prerogatives, but never under a parliamentary government with predominant Puritan sentiments, such as existed and daily grew stronger in the present Parliament.

We turn our attention to England, to those parliamentary discussions long before proposed, and now again resumed, to which the course of things in Scotland, and still more the events in Ireland, furnished a new and powerful impulse.

CHAPTER VIII.

DAYS OF THE GRAND REMONSTRANCE.

WEARIED with the labours of the long session, the English Parliament during the King's absence entered on a recess, which was to last from September 9 to October 28, not however without first appointing a committee, chosen of both Houses, to despatch current business and maintain order.

Men breathed again after the tension at which the immense activity of the last ten months had kept their minds: but when they came quietly to look back upon the past, the feeling that was evinced was by no means one of entire satisfaction[1]. There was no blinding themselves to the fact that they had gone far beyond the prospects which had floated before the eyes of the majority at the time of the last elections to Parliament. Instead of a restoration of the rights of Parliament on the ancient footing[2], the constitution was endangered, and all power fallen into the hands of a few men, who had the majority in the divisions. The members who returned to their counties did not give a very satisfactory report of the mode of carrying on the debates, in which they were often prevented from stating their views, so that there was not complete freedom of speech[3]. Disapproval was especially

[1] Giustiniano, 20/30 Aug. 'Tutto opera al presente la camera bassa, anzi quei soli che si professano piu interessati nelle passate deliberationi, et che vestite con il manto del zelo del ben publico le loro private cupidità, hanno piu degli altri offeso questo principe.'

[2] 'Never imagining,' says Roger Twysden of his share in the elections, 'that Parlyament would have tooke upon them the redressing things amiss, by a way not traced out unto them by their auncestors.' Kemble's preface to Twysden's Certaine considerations upon the government of England xxii.

[3] Giustiniano. 'Avendo apportato querele alle sue communita, che in parlamento tutto sia retto con il solo arbitrio di alcuni pochi, i quali arditamente

aroused by a resolution which had been passed in very thin houses during the last days of the session, and clothed with legal force without respect to constitutional forms. It related to spiritual affairs. The Calvinistic communion-tables that had been set aside were again to be restored, the pictures and ceremonial vessels which had been introduced by Laud to be removed, the bowing at the name of the Redeemer discontinued, and Sunday on the other hand to be observed with the Sabbatarian rigour of the Scots. Without having arrived at a complete agreement with the Upper House, which in its weakened condition still offered some resistance, but supported by a minority there which under the circumstances was considerable, the Lower House issued this ordinance, apparently no longer troubling itself about the old forms which required the concurrence of the three components of the legislature. The *ad interim* commission, of which John Pym was the most active member, held that this declaration should be published everywhere, and carried into effect so far as was possible without a breach of the peace. Lecturers devoted to the Presbyterian system were appointed side by side with the parochial clergy who adhered to Anglicanism. The idea was—and it was at the moment recommended by political considerations—to approach as nearly as was possible without much ado to the Scottish system.

No doubt the Presbyterians far and wide in the country were well inclined to assist: but they were by no means so strong in England as in Scotland; the Episcopal Church had struck deep root in England. Men would endure no alterations in the Book of Common Prayer, which had so long formed the basis of their domestic and public devotions: they had already grown used to the altars, and liked the dignity of the restored ceremonial: nor were they willing to be deprived of the bishops, who were popular in many quarters, especially as they were likely to be easier to keep

prese in mano le redini del governo, abbiano impedito agli altri di dichiarare a beneficio commune i sentimenti suoi,—che la liberta della lingua non habbia havuto quel luoco che è di dovere.'

in order than the many thousands of lay elders to be substituted for them. Here and there tumultuous scenes took place in the churches where attempts were made to give effect to the orders of Parliament: elsewhere the people declared against the decrees of the Synod of Dort, for the doctrines of Laud's system were of an Arminian character: in a great number of counties petitions were circulated for the maintenance of that episcopal constitution which had been inherited from the earliest times. Bishop Williams of Lincoln, who during these months made a personal visitation of his large diocese, called to remembrance the services of the bishops in heading the resistance to the aggressions of Rome: he declared it to be a conscientious duty to abide by the arrangements made by their forefathers, so long as they were not legally repealed: no one, he said, should be led astray after the idol of imaginary freedom, for there would be so many masters that all the rest would be slaves[1].

Williams had belonged to the foremost opponents of Laud and his regulations: but zealous as he was in resistance to Laud, he was equally free from all Puritan and Scottish predilections. He refused to designate the Scots as loyal subjects, as was expected of him in the thanksgiving service for the restoration of peace with Scotland: he was willing to allow a limitation of the prelates' authority, but insisted on the maintenance of their dignity, and of the forms of church government. He offered direct opposition to the orders of the Lower House and its commission, to the extent of declaring that all who should follow them would deserve punishment.

Among the most important members of the Lower House itself several seceded on these questions from the prevailing party. Edward Hyde, who had taken the most active part in the judicial reforms, was nevertheless far from sharing the systematic hostility to the constitution of the Church which most of the lawyers then evinced. He had known Laud well in earlier times, and was fully aware that he was often

[1] Hacket's Life of Williams ii. 165. He was especially blamed for the words, 'that no power could protect against statutes still in force.'

blamed for what was not his fault: the errors of the past arose, he thought, from carrying things to excess, but the church system itself he regarded as defensible and useful. Contrary to expectation, Lord Falkland adopted the same line: he did not deny to his old friend Hampden that he had informed himself better, and changed his opinion. John Colepepper, the man in the whole assembly best qualified to sum up a debate, declared himself of the same mind, though religious principles did not to him form the ruling motive of life. Yet without this a man might well turn aside from the goal which the majority were striving to reach: he might perceive that the attempt to impose on England the Scottish system was contrary to the spirit of the English, and could never be accomplished, and might well shrink from the state of chaos which might be foreseen. He might also see in an alliance with the King the best course for the country, and security for his own future. Perhaps it was a question as little of high moral resolve as of shameful desertion; it was a peculiar line of statesmanlike policy which these men had traced out for themselves.

Circumstances were not such as to allow of a return to the tendencies of the old régime: these had become for ever impossible—there were no more royalists on principle of Strafford's type: new foundations of parliamentary government had been laid and recognised by the King. The immediate political question was, whether now to restore the old equilibrium of forces, and maintain the Established Church, or to proceed further in the destruction of existing institutions. The first was the policy of the men who now separated from their former friends, the leaders of the Parliamentary majority.

We find that other districts also took offence at the last steps taken before the recess, which were regarded as illegal, and lost confidence in the Parliament[1]. In London placards were posted in public places, in which the authors of these

[1] Ed. Nicholas to the King, 27th September: 'The late crosse orders and unusuall passages in Parliament a little before the recess are so distasteful to the wiser sort, as it hath taken off the edge of their confidence in parliamentary proceedings.' (Evelyn's Diary iv. 75.)

resolutions were denounced as traitors to the King and the nation, enemies of God and of the public weal: they had conspired with the Scots against England; if Parliament would not expel them, vengeance should be taken on them by open force. The magistrates and well-to-do classes in the capital gave unequivocal proofs of their sympathy with the King's cause at this stage.

Thus there appeared manifold and strong leanings against the party which hitherto had been successful, of an ecclesiastical, a constitutional, and a popular nature. If now the King returned, without having to fear any hostility from Scotland, and succeeded in enforcing his views as to the suppression of the Irish rebellion, he might hope, with the support of this movement, to resume his throne with a moderate but still real authority [1].

Necessarily however these events and possibilities aroused the zeal of the leaders on the other side. They knew perfectly well that the King was hoping by his conduct in Scotland to strengthen himself for resistance in England. The news of the supposed attempt to murder Hamilton and Argyle produced a great effect: it was assumed that something similar might be repeated in England. The Lords held frequent meetings, sometimes at Northumberland's house, sometimes at Lord Mandeville's, sometimes at Lord Holland's in Kensington, in order to come to an understanding on the next measures to be adopted. There was incessant talk of Popish plots and desperate attempts; or fear was entertained that the Queen meant to depart, in order to increase the confusion and bring foreign help into England. To interrupt her connexion with the enemies of Parliament at home, a demand was put forward that at any rate she should not have English confessors; against French there was nothing to be said. The apprehension was loudly expressed that a thorough reaction was impending, which would reverse all that had yet been conceded, and threaten the utmost danger to the Parliamentary leaders.

[1] Giustiniano, 18 Oct.: 'Universalmente palesa ogn' uno discontento dei tentativi del parlamento, onde puo credersi che a nuova ridutione si procedera con maggior moderatione e saranno rette le deliberationi dell' acconsentimento di tutti, non dalla sola passione di pochi.'

In the midst of these contrary agitations Parliament assembled again on the appointed day, at first not in much greater numbers than before the recess: but a decided opposition to the dominant party showed itself immediately. When, among other things, the disobedience to the last declaration of Parliament was mentioned, and proposals made for punishing it, nothing could be carried, as the majority held the declaration itself to have been unlawful[1]. When the House filled the hope might be entertained of achieving, in parliamentary fashion, a reversal of the majority, and a reaction in conformity with the views of the moderate party, who had been drawing near to the King.

It was mainly in order to counteract this intention that Pym and his friends proceeded with the Grand Remonstrance, which in more than two hundred clauses enumerated the grievances which the King's government had occasioned since its commencement[2]. It is, we may say, a kind of history of the administration: for this estimate of it, though often disputed and generally rejected, has in later times again obtained acceptance through the advocacy of some able writers. It is a narrative of the foregoing events for the purpose of inculpating the royalists and justifying their opponents. For the latter were beginning to feel that the general opinion was setting against them, seeking, so they complain, to reverse what they had done, and hinder what was still contemplated. The Remonstrance is a party manifesto, containing at once a defence of the past and a programme for the future. Above all it was intended to represent the steps which its framers still purposed to take, as being the necessary consequences of those which Parliament had taken from the very beginning.

As in April and November 1640 John Pym had referred all the evils in England to an intention of changing the religion and the government, so now in the Remonstrance proof had to be given that the King had been from the first,

[1] 'There was no way found or resolved on to punish those that disobeyed the same (order of the House).' Nicholas to the King, 21st October.

[2] A remonstrance of the state of the kingdom, presented to the King at Hampton Court, 1st Dec. 1641, in the name of the Commons' House of Parliament. Rushworth iv. 438.

and still was, ruled by a Jesuitical faction. The dissolution of previous Parliaments, the war with France and its disastrous result, the increase of the spiritual power—for Episcopalians, Arminians, even Libertines, were all represented as in league with the Papists—the opposition which many good laws had met with in the Upper House—all was deduced from the same source. Just then was published the news of the rising in Ireland and of the cruelties perpetrated there. It made naturally a very great impression, and was regarded as a confirmation of the general complaints. There was no idea of other influences, or of the effect which the harsh behaviour of Parliament itself had had on the course of events: it was more than ever regarded as the chief merit of Parliament that it had opposed and checked Popish tendencies. And still the same danger was threatening: for the future the same determined resistance was necessary, and the only hope of rescue lay in Parliament. There was no doubt of the good-will and firmness of the Lower House: but this would avail little if met in the Upper House by the hostility of the bishops and lords inclined to Catholicism. Thus the way was paved for a return to the earlier projects of a thorough ecclesiastical reform. From the imminent danger in which the country was, and which had one of its sources in the ecclesiastical constitution, was deduced the necessity of transforming the latter. 'We admit that our design is to put an end to the excessive power of the prelates, and deprive them of their temporal dignities and offices.' It was proposed to call a general synod of the chief theologians of the island, that is to say including the Scots, with the assistance of some foreigners, for the purpose of taking counsel on the good government of the Church, their conclusions to be then carried into effect by Parliament. A standing commission of members of Parliament was demanded, to present systematic opposition to Popish aggressions, and to watch over the observance of the laws against Papists. Then came the demands long before announced, and now more strongly urged in consequence of the concessions made to the Scots, that the King should admit to the chief offices, in relation to foreign as well as domestic affairs, only persons in whom the Parliament could

confide: otherwise, it was unreservedly stated, they could grant no more subsidies.

These were the two great demands at which the earlier negotiations had stopped, the abolition of episcopacy, and the appointment of high officials subject to the approval of Parliament: they were now discussed in connexion with each other. The Remonstrance contained more than a mere statement of grievances: if the Lower House adopted it, it at once made these demands definitely its own, and resolved to carry them. It thereby returned to tendencies which had formerly been dominant but recently had become dubious, and adopted the watchword under which the Scots had broken down the preponderance of the crown.

We must observe that the Remonstrance had also a certain connexion with foreign affairs. The Queen had expected much from the arrival of the new French ambassador La Ferté Imbault. In June 1641 he appeared, bringing her assurances of friendship from the King of France and Cardinal Richelieu, which pleased her greatly. La Ferté followed nevertheless in the footsteps of Bellièvre: he connected himself with Lord Holland, who, without being himself conspicuous in Parliament, exercised some influence over the direction and management of affairs[1]. He was present when the lords of the minority met at Holland House, and did not hesitate to maintain also an intimate connexion with the members of the Lower House: he kept company with them, though far below him in rank according to the social ideas of the age[2]. He assured the Queen that these alliances would give him power to serve her; and she declared herself satisfied: she seems at the least to have reckoned that the influence of the ambassador would check the violence of hatred against her, but in fact he entered into close confederation with her opponents. The Queen was most anxious to support

[1] La Ferté, 1/10 Oct. 'Il a grand credit en Angleterre, et sa caballe, qui est grande, donnera un grand branle aux affaires.' 16/26 Dec. 'Le comte d'Holland est toujours très puissant au parlement et très mal à la cour.'

[2] So the Queen declared later. 'Le Sr. La Ferté avoit commerce particulier avec les parlementaires, même avec personnes de la plus basse condition, qu'il visitoit très soigneusement.'

her Catholic co-religionists: the ambassador found that they were as a body inclined to Spain [1], and in consequence did little or nothing for them.

On the other hand the leading men in Parliament were enemies of Spain. The idea had dawned upon them of making a new attempt on the West Indies, hostile to that power: the English sailors and soldiers in the Spanish service were summoned to quit it under heavy penalties. Hence the French ambassador was their ally. One day he made an offer to the King of French assistance in Ireland, but this was not done without a previous understanding with his friends in Parliament, who approved because the insurgents represented the Spanish and Catholic interest. Both parties thought that the King favoured Spain and the Catholics: just at the moment they were afraid, in consequence of the presence of an imperial plenipotentiary, of the renewal of an understanding between England and Spain, in which the Netherlands should participate; the members promised the ambassador to try and induce the King to break with Spain, and conclude at last the often talked of alliance with France [2].

In the Remonstrance were described the counsellors whom the King was not to endure: these were not merely those to whom actual crimes could be imputed, but also favourers of Popery, friends of foreign powers of other creeds, all who spoke contemptuously of Parliament, or sheltered great offenders. So ran the official document. In the speeches however the offensive persons were actually named; the chief of them were Bristol and his son Digby, as they themselves well knew. The same men were also regarded, and doubtless rightly, as supporters of the leanings towards Spain; they were said to be forming a new Spanish cabal [3]. The Remonstrance contained almost a personal vote of want of confidence against them.

[1] La Ferté, 31st Oct.: 'La plupart des Catholiques sont Espagnols.'

[2] From La Ferté's despatch of 7th Nov. 'Les plus puissants du parlement luy ont dit, qu'ils étoient resolus de luy parler (au roi d'Angleterre) pour renouveller l'alliance de France, s'unir avec elle, et rompre avec la maison d'Autriche.'

[3] 10th Oct. 'On a découvert depuis peu, que les partisans d'Espagne faisoient une nouvelle (cabale). Ceux du parlement, qui en ont advis (through Holland) travailleront, aussitôt que le parlement se rassemble, d'eloigner ces personnes la.'

The one decisive question with relation to all matters both domestic and foreign was now whether the Remonstrance would obtain a majority in the Lower House or not. On this it depended whether England would maintain the regal and parliamentary forms after the ancient fashion, together with episcopacy and substantial power vested in the crown, or whether it would change to the system adopted in Scotland, and unite with Presbyterianism the complete preponderance of Parliament. Existing circumstances, old associations, the intuitive and habitual inclination of the people, pointed to the one: the great agitation of the last year, the attempt once undertaken, urged men strongly towards the other. The clauses of the Remonstrance were first discussed singly, and one or two were opposed, but without any practical result. The final debate took place on November 22. Its importance is illustrated by the words of Oliver Cromwell, that on its issue depended the question whether or not he could stay in England. Only if the majority accepted the Remonstrance could he see any future for himself in England. Many others held similar opinions. The rejection of the Remonstrance would have driven to America the champions of the ideas expressed in it.

Edward Hyde opened the debate by declaring a phrase in the Remonstrance inconsistent with the King's dignity: he added the remark that the defence of their liberties was not opposed to the existence of the crown. 'We will not be subjects of a contemptible king, any more than he be king of contemptible subjects.' Lord Falkland approached more nearly to the questions at issue. He specially defended the bishops, who were unfairly accused of Popish tendencies, and even charged with having promoted idolatry. Then he referred to the proposal that the King's nominations should be subject to the approval of Parliament, which he characterised as impracticable and ludicrous. Edmund Waller, who had already broken several lances with Pym, added that in this he was going against the laws: for that the Lower House was chosen by the freeholders to make the laws, not to see that the King's counsellors were appointed according to their pleasure. Edward Dering asserted that the wishes

of the people had now been satisfied, and that they desired no accusations for the past, nor yet promises for the future, such as the Remonstrance contained. John Colepepper declared that they had no right, without the concurrence of the Lords, to publish this Remonstrance, for that the Lower House was chosen to transact business with the King and the Lords, not to issue declarations to the people; moreover that the hostility of the people would very soon be shown if they meddled with episcopacy.

Pym and Hampden took the chief part in defending the Remonstrance. Pym justified the harsh expressions against the bishops, on the ground that the reverence paid to the altars was in fact idolatrous, and the pretension in regard to the King's advisers, on the ground that the wicked designs against which they had had to fight originated in the immediate neighbourhood of the King. He said that the heart of the people would be won when they ascertained how the Lower House was treated: as for seeking the assent of the Lords to the Remonstrance, it was a contradiction in terms, as it contained complaints against the Lords themselves. Hampden declared that they were only doing what was natural; the Lower House had been loaded with reproaches, and these they repelled: evil counsellors were close at hand and very powerful, and these they exposed. The attacks made on their new church policy he retorted with a text from the Apocalypse predicting the victory of the true church, and the fall of all other worship[1].

Thus reasons and counter-reasons were urged without any one being able clearly to pronounce in which way the scale inclined. At last the opponents of the Remonstrance must have begun to fear that they should be in the minority: they determined to resist as long as possible, and if that failed, to proceed to a protest. It was midnight before they could come to a decision. It was resolved first of all to settle the text of the Remonstrance, and then take the final vote: at last

[1] 'When the woman shall be clothed with the sun, the moon shall be under her feet.' Verney's Notes contain the most important particulars of this transaction. Cp. Forster 100.

the question was put whether the Remonstrance as amended be agreed to or not. On this the House divided; the votes in its favour were 159, those against it 148. It had passed by a majority of eleven.

Still the affair was not ended. A new agitation was aroused by the motion that the Remonstrance should forthwith be printed. The royalist party thought this unendurable, as setting this document before the populace would be an act of hostility against the King. Edward Hyde declared that the House had no authority to do it without having consulted with the Lords: he added that if it passed he should pray for leave to enter his protest. His cautious expression shows that he regarded the right as dubious. But a step was taken which rendered an immediate demonstration possible. Geoffrey Palmer, a lawyer, rose to ask for the appointment of a day on which the right to a protest might be enquired into: meanwhile the names might be taken of those who would sign such a protest in case of its being pronounced legal. He seemed to ask who was prepared for this; a great crowd rose to their feet, with the cry 'All, all.' Was not this however in fact a protest, in spite of the doubtful legality? Inevitably it excited immense agitation. The steadfast zeal of the one party balanced the enthusiasm of the other. They waved their hats above their heads, knocked on the ground with their swords; it seemed as if they must come to hand-to-hand fighting. As they sat or stood opposite each other they felt that they could plunge their weapons into one another's bodies, like Abner's and Joab's young men at Hilkath Hazzurim. In that narrow, crowded, dimly lighted room of the chapel, men felt almost as in the valley of the shadow of death[1]. A few conciliatory words from Hampden availed to recall them to their senses. The proposed resolution was in fact not put. Without bloodshed, but in the utmost excitement, they separated late at night.

[1] Warwick, Memoirs 202. Notices from D'Ewes' Diary in Forster's Historical Essays i. 112. The Camden Society should earn the credit of printing this diary *in extenso*.

Geoffrey Palmer had to atone for his conduct by a couple of days' imprisonment in the Tower. But the question he had raised, how far a protest of dissentient members was allowable in the Lower House, was of so great importance, that when once it had been spoken of it must necessarily be settled.

The right of protest existed in the House of Lords, in the Scottish Parliament, in the Legislative Assemblies of the Continent: the very name of the religion acknowledged in England was derived from a protest offered in the German Diet. Why should there be no power of exercising it in the English Lower House? There was no precedent for it, but there was none against it: and how many things were then done for the first time. Two reasons were urged for the right of protest, which rest on the inmost sense of individuality: one is that the individual cannot possibly be compelled to assent to the majority if it adopts illegal or irreligious measures: the other is that otherwise in case of a revolution, the innocent would have to suffer with the guilty. It is obvious that these reasons could not prevail with a majority which was in possession of the right to pass universally binding resolutions. The majority argued that the ancient formulae cut off the possibility of a declaration of dissent. John Pym stated on this side a reason of great significance. The Lords, said he, are in the Upper House in virtue of their individual and personal rights: every man acts for himself, so that he is not unconditionally bound by the majority. But the case is quite different with the Lower House, which represents the nation: there no dissent is allowable. He assumed that the united will of the nation was expressed through the majority of the members of the Lower House elected by it. That a national assembly represents the nation, had very often been said: but that is very far from the view that this representation belongs to the Lower House, an idea on which is based the legality of all revolution. It very naturally originated with the leader accustomed to be followed by a majority which he had himself done most to form: in its assent he read the assent of the nation.

Apart from the essential importance of the principles involved, the fact that the resolution was passed, and that under no circumstances durst members of the Lower House enter a protest, had great importance for the moment. The whole authority which the conclusions of the Lower House possessed with the nation went in favour of the proposals against the bishops and for the termination of the King's power of nomination, which had passed on the night of November 22 by so narrow a majority.

CHAPTER IX.

FORMATION OF A NEW MINISTRY. TUMULTUOUS AGITATION IN THE CAPITAL.

THE King was and remained determined to give way on neither point: while the anti-episcopalian tendencies were gaining the upper hand in the Commons, he had in a measure newly constituted the episcopal bench. The vacant sees, of which there was a great number, he filled without any limitation of their authority: in order to give proof of his genuine Protestant sentiments, he chose learned men of moderate views. Dr. Prideaux, one of the best professors at Oxford, a scholar and logician, and possessed of the most extensive theological learning, obtained the bishopric of Worcester. Dr. Brownrigge, a Cambridge Fellow, and possessing the sort of intellect at once solid and versatile, which is calculated to shine in public discussions, received the see of Exeter; Westfield, a popular preacher, that of Bristol. Bishop Hall, whose moderation had brought him under suspicion of being inclined to Presbyterianism, was advanced to the bishopric of Norwich; and Bishop Williams of Lincoln, who at the moment had developed a rare episcopal activity, to the archbishopric of York. Thus it was not the adherents of the Canterbury system, the old friends of Laud, who obtained the preference. The King wished to give the Church representatives free from all suspicion of a leaning towards Catholicism; and by this he caused the most thorough satisfaction to all the friends of the Church.

On November 25, the third day after that stormy sitting, he returned to London: once more he was welcomed with joyful sympathy, and as heartily as he could wish. The

Recorder, in the name of the city, expressed confidence that he would defend the established religion: the King answered that he would prove his love to the people by maintaining intact the laws of the realm and of religion, as they had stood under his father and Queen Elizabeth—as if with a presentiment of the coming storm, he added, even at the risk of his life and all that was dear to him[1]. He had just confirmed the city in its rights, and restored the possessions in Ireland which had been taken away under Strafford. To prove their gratitude the magistrates had invited him to a banquet in Guildhall. On the way thither, as well as in going thence by torchlight to Whitehall, he was greeted with triumphant shouts. He derived thence a conviction that he would have the general voice in his favour if it came to open war between him and the Parliament: and that war was imminent no one could doubt.

On December 1 the Remonstrance was presented to the King at Hampton Court, by a deputation of the Commons. It was accompanied by a petition, in which the two chief demands, on which all the rest depended, were repeated in strong terms—that he would deprive the bishops of their temporal authority, and moderate their spiritual power so far that all oppression in doctrine, government and discipline should cease—that he would banish the malignants from his council, and admit no influence from the opposite side, however near or high the quarter from which it came. The request was appended that the King would not restore to the rebels their forfeited possessions in England, but keep them for the public service. At this and some other points the King let an exclamation of ironical astonishment or disapproval escape him; at the rest he exhibited neither anger nor annoyance, he only expressed the wish that the Remonstrance should not be published without his concurrence.

He had undoubtedly however resolved to resist with all his might the purposes disclosed in it. On the day after the presentation of the petition he showed this by a proclamation

[1] 'And this I will do, if need be, to the hazard of my life and all that is dear unto me.' Nalson Collection 676.

which, in opposition to the ordinance of the Parliamentary commission, forbade all deviation from the Book of Common Prayer. In relation to the other disputed question he acted in the same manner as in reference to spiritual affairs. It had hitherto remained doubtful on what principle the highest posts not yet disposed of should be filled up: in the last few months there had been again a talk of introducing men like Hollis and Pym into the highest ranks of the administration [1]. Even for the household posts there were candidates who reckoned on the support of Parliament. When however the opposition, which it was hoped had been lulled, again exhibited itself in so direct and implacable a form, the King would no longer think of any such approximation, as it would in fact have been endorsing the claims of the Commons. The dignity of Lord Steward, to which the Lower House wished to see the Earl of Pembroke appointed, was conferred by Charles on James Stuart, Duke of Lennox and Richmond, who, like his ancestors, was in the confidence of the royal family. Just as little was he disposed to entrust the office of Lord Treasurer to the Earl of Salisbury, the son of Robert Cecil: he named as Chancellor of the Exchequer, John Colepepper, one of the leaders of the minority. The two Vanes lost their posts, the elder to his bitter chagrin the Secretaryship of State, in which he had grown grey; and Lord Falkland was induced to undertake it. Edward Hyde as yet received no office, though he took part in all deliberations: he busied himself in answering the Remonstrance which he had so vainly resisted at the time. But the soul of the ministry was Lord Digby, another of Charles I's advisers who came over to him from the opposition. The Queen asserted that she had by her personal intervention induced him to change sides. After he had, in the debate on the Bill of Attainder, broken with the majority in the Commons, which threatened to make him answer for his language, he was transferred to the Upper House, and obtained a post about the King's person. He was a man of universal culture, who had seen many countries, and possessed very varied knowledge, amiable when he liked, and spirited, at once versatile and

[1] Cp. Forster, Arrest of the five members 48, 54.

resolute. His speeches are favourably distinguished by good taste and happy expression from the style of his contemporaries: in the history of parliamentary eloquence he deserves a place. He found his chief support in his father, Lord Bristol, the only one of those who had been admitted into the council at the beginning of the year who exerted any real influence. Charles I once more selected from Parliament an enemy of Buckingham, whom he had attacked with the help of Parliament in former times. Now however their sentiments were no longer those prevalent in Parliament: both father and son had become favourable to Spain and to royalty.

Regarded in the light of later events it may seem strange that the King should have chosen his ministers from the minority and not from the majority. At the moment however the prospect was adverse to the demands of Parliament: while the King was sure of a large minority in the Lower House, of a majority in the Lords, of the great episcopal interest, and of a favourable sentiment among the people, he thought that he need not fear a hostile majority. The Queen in the course of December believed that her party would supplant, conquer, and punish the opposition.

The French ambassador distinguished between the Spanish cabal, and the other which consisted of his friends. 'Each of them,' said he, at the beginning of December, 'does all it can to ruin the other. The Spanish party has been strengthened by the arrival of the King; he has a great idea of the strength of his adherents in both houses, and hopes with their aid to be able to restore his authority.' In Parliament there grew up against Bristol and Digby a hatred similar to that which had once been felt against Strafford: on the other hand Holland, Essex, Say, Hertford, saw themselves threatened in their offices by the court party. It was still very doubtful which side would remain masters of the field: meanwhile the leaders of the Commons had reason to fear for their lives.

When the nature of the opposing principles and the strength of the parties embodying them were such as to produce a sort of equilibrium, or state of suspense, a change in the municipal representation in London, which went in favour of the revolutionary cause, was of all the greater moment.

Although Episcopacy was liked by the magistrates and wealthy classes, Presbyterian opinions preponderated on the whole, and decidedly so in the middle and lower classes. The zealous and well-attended sermons, in which religious exhortation bore also a political character, contributed greatly to this. How great must have been the confusion when the deviations from Anglican usage which had been introduced under the protection of Parliament, were pronounced invalid, and had to be abandoned [1]. It is very intelligible that the declaration of the Lord Mayor and Aldermen in favour of the bishops should have been met by counter manifestations on the part of the commonalty. At the beginning of December a petition was prepared in the city, and accepted in spite of the opposition of the Lord Mayor, in which the city adhered to the views of the majority in the Lower House, and fully adopted as its own the idea already prevalent there, of excluding the popish lords and the bishops from the Upper House. The great contest on the relations of Church and State which divided the nation was first fought out in the city of London. A considerable part of the public authority was here in the hands of the Common Council: those elected to a seat there had come to enjoy almost a personal life-long right, and it was the first step to the magisterial bench. Hitherto men of moderate opinions, such as had been expressed on the occasion of the King's return, had had the upper hand there: now however the city populace found them not zealous enough for religion, and too much inclined to make terms with the court. Their chief crime was intending to petition in favour of Episcopacy and the Book of Common Prayer. At the new elections, which took place at this time in the various parishes and wards, a sudden change was made. The adherents of the government and of the bishops, such as Benyon and Drake, were rejected, and zealous Presbyterians were elected instead, though they might be less wealthy: many belonged to the class of artisans[2].

[1] Slingsby to Pennington, 16th December (St. P. O.).

[2] Clarendon iv. 372: 'By the concurrence and number of the meaner people men of the most active and pragmatical heads should be elected.' These events in

The King had originally intended, since he did not fully trust the temper of London, to spend the winter at Hampton Court: he was induced by the good reception he met with at the city, and by the assurances of the authorities, to promise that he would spend Christmas at Westminster[1]. Thus he was very closely affected by this change.

In the city there appeared an ever-rising ferment. If anything in the world was calculated to rouse their passions it was the horrible violence committed against the Protestants in Ireland: this must necessarily have awakened Protestant fellow-feeling. They were ready to contribute towards the Irish war; even in the Common Council numerous subscriptions were offered: but at the same time they demanded security for the good management of the undertaking, and the most rigorous execution of the penal laws. It almost seemed as if they had to fear, from the system of government, similar terrible consequences in England: the outbreak of a fire in their neighbour's house made them fear for their own. Then came the publication of the Remonstrance, which was printed in spite of the King's request and the opposition of the minority. It appeared palpable that the King was ruled by Popish influence. We have political ballads extant in which the alliance of the bishops and the Papists is depicted as the great danger of the country and of religion. But there are, it is added, courageous hearts ready for resistance; the best of the King's subjects are prepared to do what will break the yoke of Antichrist, and to gain for England the liberties which Scotland has secured.

A fast-day was held on December 22. In a letter of this day it is said that extraordinary devotions are necessary to implore the grace of God for the averting of the storms which are breaking over the country; he may deem himself happiest who has least to do with it.

During this general uneasiness the King issued an order

the city would be worth a searching investigation. Some information is given by the (one must admit) party pamphlet of Samuel Butler, A Letter from Mercurius Civicus, etc., in Somers' Tracts iv. 584.

[1] So he himself told the aldermen. Nalson ii. 702.

which was exactly calculated to cause a complete outbreak. As a part of the system already adopted, of substituting for men of popular opinions and connexions, who held any important post, others of greater inclination towards the King's service, William Balfour, a Scot, the Constable Lieutenant of the Tower, the same who had refused to allow the introduction of a small force, was dismissed from his office, and replaced by a friend of Digby's, named Lunsford, a soldier by profession, who had served in the northern army. But he was regarded as one of the most dangerous of the malignants: he was said never to have been seen in a church, to be violent and dishonourable, laden with debt, and capable of any desperate resolve. His appointment made the worst possible impression on the city, which would not see a portion of its wealth, the gold and silver bullion in the Tower, left in such untrustworthy hands. The Lower House thought they saw in it the beginning of a violent reaction, and requested the Lords to unite with them in praying for the revocation of the appointment. Though the Upper House declared, in reply, that the appointment and removal of officers belonged to the royal prerogative, with which they had no right to interfere, the Commons proceeded to resolve that Lunsford was unfitted for the place, 'as a person in whom the Commons of England cannot confide[1];' and since the Upper House was only prevented from concurring by the votes of the bishops, they begged the members of that House who were of their opinion to act as men of honour. This message was received by the Lords on December 24: the majority was in favour of postponing the matter to the first sitting after Christmas, on the 27th. But at this moment the minority took the step which Pym had long ago recommended to them: twenty-two Lords protested against this postponement, saying that they would accept no responsibility for the evil consequences which might ensue[2].

Thus the Christmas which Charles I had thought to keep in the old cheerful fashion, and the following Sunday, were

[1] Journals 356.
[2] Parliamentary History x. 123.

filled with anxiety, mutual accusations, profound and violent agitation. The apprentices at that time formed a peculiar element of popular movements in London: since the trade ordinances of Queen Elizabeth, which were directed to an easier administration of the poor-law, they had been compelled to serve a long period in shops and manufactories: though still dependent on their masters, they had with growing years the appearance, and even the feeling, of a sort of independence, and were specially apt at popular demonstrations. At this moment their masters, who were agreed with the Parliament, left them to their own devices: they prepared to go to Westminster on the following Monday, armed with swords and pistols, chiefly to enforce the dismissal of the hated Lunsford[1].

The King on the Sunday conferred with the Lord Mayor, who declared himself powerless to check the movement: the only resource seemed to be the withdrawal of Lunsford's appointment; and at the Lord Mayor's advice the King resolved to do this. In Lunsford's place he selected John Byron, who also enjoyed his full confidence, without giving occasion for such demonstrations as had been made against the other.

The movement was however not to be stopped thus: on the appointed day, about the hour at which the morning sitting began, a tumultuous mob streamed into Westminster. There they came to blows with Lunsford and his armed followers, who were on the spot: but the demonstration told less against him than against those members of the Upper House who had refused to accede to the popular demand, namely the bishops. They were received with the cry that they could be endured no longer, at any rate in Parliament, and with insulting clamour: woe betide him who, like Archbishop Williams, desired to obtain justice personally against any one in the mob: he received double abuse. The hearts of some of the

[1] Giustiniani, 31 Dec./10 Jan. 'Sciolto in freno alla licenza proruppero in parole di molto senso contra questa elettione non meno, che contra la camera alta, si lasciarono intendere che publicarebbero al popolo machinarsi a danni della libertà di lui, e lo persuaderebbero prender l'armi per defenderla.'

temporal lords smote them at this: they remembered their old-fashioned knightly pledge, which bound them to defend with their swords men in long garments. The Lords actually went to the Lower House with a prayer to this effect: the answer was that they could not discourage the people.

The next day these scenes were repeated: the barges in which some bishops sought to reach the Upper House were met with showers of stones, and driven back from the landing-place. It seemed that the prelates would be excluded from the house by open force: but they themselves furnished a pretext for this being done legally. In order to avoid any further insult, and yet not to surrender their ancient rights, Archbishop Williams hit on the idea of assisting their cause by a protest: he assembled eleven bishops, and induced them to sign an instrument in which they pronounced beforehand all proceedings null and void which should be taken during their enforced absence from Parliament. They laid this declaration before the King and before the Upper House, which communicated it to the Lower. This step however produced a totally different effect from what was intended. The Commons had a different idea of the English constitution from this meeting of bishops: it was observed that the bishops did not in England constitute an order whose absence would render parliamentary action invalid: their pretensions were declared to be an attack on the fundamental laws of Parliament and on its very existence: the Lower House impeached the bishops of high treason for making them. They had to kneel at the bar of the Upper House and hear the impeachment read, much to their astonishment, for they had had no thought of doing anything improper: they were sent to the Tower, or at any rate arrested. Thus the Commons were suddenly relieved of these unwelcome sharers in the counsels of Parliament: and in order to seize the favourable moment, a motion was immediately made for their definitive exclusion from all political affairs, nor under existing circumstances was there much doubt of its being passed.

It is obvious how greatly the movement in the city helped the Puritan party in the House of Commons, which was led by Pym and Hampden: for it must be reckoned as at least an

indirect result of the tumult, that the bishops, who sought to maintain their rights in the face of it, were, perhaps in rather a clumsy manner, removed from the Upper House. This party united to consistency in their demands the skill to take advantage of every error or display of weakness on the part of their opponents. From a somewhat depressed position at the beginning of the session they had, within two months, worked their way up to predominant authority.

Nothing was wanting to their full possession of power except control over the court and the King's counsellors. The obvious and immediate aim in all movements of this sort is always a change of the persons who wield executive power, or share the secrets of its deliberations. No one at this time possessed so much influence in both domestic and foreign affairs as the hated Lords Bristol and Digby, father and son. The French ambassador, who hated them as the heads of the Spanish faction, once talked with his friends in Parliament of the necessity for overthrowing them: he asserted that they swore to him to undertake the attack, even though they should perish in it. So it came to pass that formal impeachments against Digby and Bristol were proposed in the Lower House: the father for having advised the King to put the army into effective condition, which could only have been done with views hostile to Parliament: the son for having accused the Commons of encroachments on the liberties of the Lords, and on the rights of subjects, and for having said that Parliament was no longer free. The Lower House had this claim at any rate to supreme power, that it already treated as a crime every expression injurious to it. The matter advanced so far as a conference with the Lords.

A very widely spread idea was to proceed with an impeachment against the Queen, as the personage who gave the most support to Catholic and anti-Parliamentary tendencies.

The danger to the court arising from the influx of the mob to Whitehall evoked counter demonstrations for its protection. A number of officers were assembled, who had served in the old army, or were going to Ireland. One day the court gave them a banquet at Whitehall. Even then the intrusion of the mob could only be repelled by violence and

even bloodshed[1]. The apprentices threatened to come back and take vengeance. Hereupon guards were posted in Scotland Yard, in Westminster Abbey, in the great reception room at Whitehall. The younger members of the gentry who were completing their studies in the Inns of Court appeared at court, and offered their services. They were admitted to kiss the hands of the Queen and Prince. Never had more of the nobility been seen at court than at this juncture: all were armed, and they went about brandishing their swords, and showing the daggers with which they would defend the King.

But the presence of a company of armed men aroused again in Parliament the fear of an intention to disperse the Houses by force. The Parliament on its side asked for a guard; there was even a talk of transferring the sittings into the city. A state of things had begun which must lead to some violent explosion.

In the middle of December the French ambassador sent information home that the court cabal, which he also described as Spanish, which just then had hoped to triumph, was become weaker than the other[2]. At the end of December he added that affairs were in greater confusion than ever, and that Parliament was in such a position that the one cabal or the other must perish[3].

[1] Aerssen: 'Les prentices firent des grandes insolences, même à Whitehall, le jour que le roi traitoit les colonels et capitaines qui devoient aller en Irlande.' He reckons some sixty wounded; La Ferté 20–30.

[2] 16/26 Dec. 'La cabale d'Espagne et de la cour se fait tous les jours plus faible que l'autre, qui commence à prendre le dessus: et se forment diverses intrigues dans la ville.'

[3] 31 Dec./9 Jan. 'Les affaires n'ont jamais été si brouillées, le parlement estant maintenant en état, que l'une ou l'autre cabale perisse.'

CHAPTER X.

BREACH BETWEEN THE KING AND THE PARLIAMENT.

WITH the personal rivalries which the word cabal implies, there were blended very real and weighty differences, which touched the nature of authority itself.

Under the very eyes of the King the party which had compelled him to summon a Parliament, and then wrung from him the condemnation of Strafford and the right of Parliament not to be dissolved without its own consent, had risen to terrible power. When he attacked it, it had regained control of the majority in the Commons. However numerous the minority might be, it remained excluded from all political influence. A member was reprimanded for uttering the opinion that the majority of the Lords and the minority of the Commons had as good right to combine as the majority of the Commons with the minority of the Lords[1]. Now however the majority of the Lords also was reduced to impotence: the views of the leaders of the Commons appeared as the opinion of Parliament. Nothing else was to be expected but that those great demands for the abolition of Episcopacy and the co-operation of Parliament in the appointment of all officers of state, which the King regarded as an insult to himself, would soon be laid before him as bills of both Houses. Yet other demands, of which we have seen the traces at an earlier period, had now grown to full consciousness. The Lower House had voted levies for Ireland: the question was raised whether these could be made without a licence under the great seal, which had always hitherto been regarded as necessary. The House

[1] Mr. Godolphin. Cp. Verney, Notes 3 Dec.

resolved that this was not indispensable, and that its own order was sufficient [1]. The idea had already been suggested of not entrusting to the King the nomination of leaders for the troops destined for Ireland: it was proposed that the Lower House should name a lord general for the land forces, and a lord high admiral for the fleet. In this manner they thought to fill the offices with a couple of opposition lords, who would have had no chance in the existing temper of the court. At the same time the men who stood nearest to the King were attacked by an impeachment which might cost them their lives. Who after that could join the King and manage his affairs? Strafford was ruined because he had tried to gain for the King a power transcending all earlier precedent: when the King surrendered him he altered his system. Bristol and Digby are not to be compared with Strafford in personal worth; but they belonged to the system which the King was now determined to uphold: what was left him if he abandoned them also?

The court was now trying to devise means for checking the growth of the preponderance of Parliament; and as it was desirable to keep within the law, none other could be found than that by which Strafford had perished, and which had often been talked of since, the impeachment in their turn of the leading members. There were five in the Lower House, Pym and Hampden, the two acknowledged leaders, Hollis and Strode, who had taken a conspicuous part in the impeachment of Digby and Bristol, and Haslerig, who had originated the Bill of Attainder and the proposal for the appointment of generals by Parliament. Of the Lords they selected Mandeville, now Lord Kimbolton, chiefly because he had been much concerned in the alliance with the Scots. The charge which had formerly been brought against the Viceroy of Ireland, that he had sought to overthrow the fundamental laws of England, might, they thought, be still better imputed to those six, for they had endeavoured to make the King hated by his people, to induce his army to abandon him, to rob him of his authority: in fact they had already levied war on the

[1] Journals of the House of Commons, 4th November, 1641.

King, and Parliament was kept by them in subjection through terror and violence[1]. At least, they thought, they could support all these charges with no slighter evidence than had availed to prove the accusation against Strafford: why should these men not be convicted of high treason as well as Strafford? Moreover they would be under arrest during the process, and so for a long time be rendered harmless. It was determined that the impeachment should be laid before the Lords immediately in the King's name.

It has often been proved to demonstration that this step cannot be regarded as lawful. The Upper House possessed no criminal jurisdiction over the Lower: the charges against the five members ought to have been brought before a grand jury, or before the Commons themselves. We may add that there was a misunderstanding of what had happened in Strafford's case. The Lord Lieutenant was not condemned at all in judicial form: his condemnation was a political act of the legislative authority. The Lower House, from which it proceeded, had since gone still further in the same direction, and the Upper House was now paralysed: the impeachment embraced charges against the majority which now enjoyed the whole authority of Parliament. It was bringing the authors of the imputed crime to trial before their accomplices, for a large part of the Upper House belonged to the same party. To what result could this lead?

On January 3, 1642, the Attorney-General, by special command of the King, laid the impeachment before the Lords, where it was received with astonishment. The arrest even of the member of their own House was not ordered, nor even notice of motion given. But just as if all had been fully completed, royal officers immediately repaired to the houses of the accused members of the Lower House to seal up their papers. The Commons were in the act of taking counsel for the indispensable security of the great council of the nation, when the news of this measure arrived. They declared it a breach of their privileges, especially as there had not even been notice given them of the impeachment, and

[1] Copy of the articles, in Forster's Arrest of the Five Members 114.

called on the Upper House for joint resistance: just then appeared the King's serjeant to require the surrender of the five members. The Commons had no intention of giving way to this demand, but could not at the moment pronounce a definite refusal. The House pledged itself that the members should at all times be ready to answer any lawful impeachment which should be brought against them, but at the same time reserved the power of representing to the King by a deputation, that this matter touched the privileges of Parliament, and concerned the whole Commons of the realm.

The five members were not arrested, and the seals which had been affixed to their dwellings were removed by an order of the Lower House, in which the Lords concurred.

In earlier times kings had arrested without difficulty members who had opposed them. Charles I had surrendered this power when he accepted the Petition of Right: but we may remember that the lawyers had then secretly assured him that it would always remain to him in case of need. Besides, in cases of treason, privileges counted for nothing. Always inclined to interfere in person, the King determined to go himself to the Lower House, and obtain the surrender of the accused, which had been denied to his officers. It is asserted that he took counsel on the question with members of the Privy Council who also had seats in Parliament, and that his intention was approved by them[1].

It is clear as day that by so doing the King attacked the immunities on which Parliament founded its efficiency and its very existence. It determined under no circumstances to permit the arrest. An immediate practical importance now attached to that protest which had been passed after the discovery of the army plot, and which formed a sort of English Covenant, and pledged every man to defend by united effort the privileges of Parliament. In relation to this the formal resolution was passed that in case any one, whoever it might be, should attempt to arrest a member of the House without its assent and order, resistance should be

[1] Bates, Elenchus motuum 31: 'Suasu quorundam qui a sacris erant, etiam ipsius parlamenti senatorum.'

made to him. The question was raised whether the refusal to allow the arrest should be made unconditionally[1]: and not only was this answered in the affirmative, but a further step was taken. As the King again refused the renewed pressure for the appointment of a guard for Parliament, the Lower House now, without further hesitation, requested the Lord Mayor to arm the militia, and send a detachment of them to Westminster to protect the assembly. It looked as if it might serve also as a defence against the violent arrest of the members. The King commanded the Lord Mayor to assemble no troops without his positive order, and if any riot took place in the city, to suppress it by force of arms. He himself deferred the execution of his purpose till the next day (January 4). His plan was, so to speak, a public secret. In the morning the Earl of Essex, Lord Chamberlain, informed the five members confidentially that the King was coming to seize their persons[2]. This was known at the commencement of the sitting. The vehemence of the debate was however not damped by this news, but rather stimulated: especially it dealt with the act of impeachment, which was attacked at all points, refuted, denounced, and finally declared to be a scandalous libel, whose authors must be detected and punished, in order to secure the Commonwealth against them. It was as if the Lower House wished to answer the King's threat by a counter threat of its own. Hitherto Charles I had delayed the execution of his design. At the news of this resolution he felt himself as it were challenged: in violent agitation he went to the officers assembled in the ante-chamber. 'Soldiers,' he cried, 'vassals, let him who is true to me, follow me[3]!' They hastened with him down the

[1] Journals of the Commons ii. 317.

[2] D'Ewes in Sanford 465. '(These five gentlemen) were sent to this day by the Earl of Essex—that the King intended to come to the House of Commons to seize upon them there.' According to Verney they had at the opening of the morning sitting 'information that they should be taken away by force.'

[3] Giustiniani 7/17 Genn. 'La camera bassa dichiarò le accuse—per libello infamatorio—a disegno di portare all' altra il decreto per approbatione: di questi atti disobedienti fatto consapevole nello stesso punto, il re sorti improvisamente della propria stanza e portatosi a quelle della guardia disse ad alta voce: Vasalli e soldati miei piu fedeli seguitate mi.'

stairs: at the door there was by chance a carriage which the King entered, the multitude following him on foot.

In St. Stephen's Chapel the afternoon sitting had just begun, when Captain Langres, probably sent by the French ambassador, arrived with the tidings that the King was on his way from Whitehall [1]. The danger was imminent for all, inasmuch as they had pledged themselves to resist a violent capture of the members, who were present. It was now thought good to adopt the advice which Lord Essex had given in the morning: and a resolution was passed that the five members should withdraw, to which Strode, the youngest of them, offered strenuous opposition, for he wished to seal his innocence with his blood. Scarcely were they gone when the King arrived. His armed followers, amounting to about five hundred men, lined the way for him as he entered. He bade them stay in the vestibule, forbidding any of them to enter the chamber on pain of death: the Earl of Roxburgh kept the door. Charles I had no idea of dispersing the assembly by force, after the fashion of more decidedly revolutionary times. Extraordinary as his conduct was, he believed himself to be acting within his legal rights, and only wished to make his prerogative effectual. The prerogative of the crown in the sense of the early kings, and the privilege of Parliament in the sense of coming times, were directly contradictory to each other. The King was attended by the Elector Palatine: uncovered, saluting on both sides, he walked up to the Speaker's chair. He said that he did not wish to interfere with the privilege of the House, but that it did not apply in cases of treason: as he had waited in vain yesterday for the surrender of those accused of this crime, he had now come in person to take them away. He asked first for Pym—all was silent: then for Hollis—still no answer. He turned to the Speaker, to learn from him where they

[1] La Ferté: 'Comme le parti de ce jour n'étoit pas bien fait pour le parlement j'en avertis mes amis qui y pouveurent, un quart heure devant.' Probably La Ferté is 'the noble person who wishes well to this nation,' by whom, according to D'Ewes, Langres, a Frenchman by origin, was sent: the ambassador's friend would then be Fiennes, for the tidings came to him, and he informed the Speaker. There is scarcely any room for the treachery often imputed to Lady Carlisle.

were: the Speaker fell on his knee and prayed to be excused if he was silent, he was but the organ of the House, and had no eyes to see, nor tongue to speak, anything but what the House bade him. The King now perceived for himself that those whom he sought were not present, or, as he himself expressed it, that the birds were flown. He seized the occasion to assure the House that he intended no violence, that he would observe all that he had granted for the good of his subjects, and that he would proceed in strictly legal fashion against the accused, but that he expected an answer, else he would know how to seek and to find them. He departed in the same manner in which he had entered, but already it might be seen what lay hidden under this crust of forced moderation. From the assembly was heard the cry of Privilege! whereupon the King's guards laid hand on their swords, and drew out their loaded pistols.

As the five members of the Lower House had fled to the city, the King next day, holding firmly to his purpose, repaired to Guildhall to obtain their surrender. The aldermen and common council were assembled. Charles had all the less hesitation about trusting himself among them, because he was assured of the devotion of the city authorities: only, as we know, the Lord Mayor and Aldermen were no longer masters of the populace. In presence of the King was raised the cry, Privilege! Liberty of Parliament! to this others answered with God bless the King! They were the battle-cries of the opposing parties: no one could say which was the stronger among those present [1]. When peace was restored, the King himself, by asking whether any one had anything to say, as it were invited a demonstration. A voice called out that the assembly wished the King to listen to the opinion of Parliament: another replied that the speaker expressed his own sentiments only, not those of the assembly. 'Who can say,' interposed the King, 'that I do not listen to the advice of my Parliament? but there is a difference between

[1] I take this account from the detailed letter of Robert Slingsby, 6th January, who adds 'another bold fellow in the lowest rank stood up against upon a forme and cryed the priviledges of Parliament: another cryed out the observe man.'

Parliament and some turbulent members of it: the one I do and will listen to, the others I will deliver over to lawful punishment.'

When the King was gone, his demand raised a hot debate: it was not directly refused, but at the same time it was not acceded to.

The King, who wished to show himself in his fashion gracious and confiding, had invited himself to dine with one of the aldermen. When he quitted the house the crowd which had gathered meanwhile received him with the cry, 'Parliament! Privilege!' and here it was not as in the common council, for there was no counter shout. A pamphlet was thrown into the King's carriage with the title, 'To thy tents, O Israel'—the words with which Israel rose against Rehoboam. The King however would not even now abandon his object. The next day appeared a prohibition to receive and harbour the five fugitive members. His officers and all his subjects were required to seize them, and commit them to the Tower, which was now in safe hands: the King at this moment had some cannon conveyed thither, and strengthened the garrison. What might not be expected after this[1]?

On one of these days a friend writes to Admiral Pennington: we have here no fewer storms than you have at sea, and perhaps even worse and more dangerous. We are here near to ruin, says another letter: the liberty of the press, the factious preaching, the licence which unruly people have assumed of assembling without regard to the laws, all this has destroyed obedience to the King as with a slow poison. The Puritan faction, it is observed in a third letter, together with the schismatics, are so strong in the city and country, that no one can foresee the result, unless the King and Parliament are reconciled.

This however was now become impossible. The Commons met the unsuccessful steps of the King with the most determined and vigorous opposition. Already on January 5 they had resolved to adjourn the sittings at Westminster till

[1] Instruction to Nicholas, in Forster's Arrest of the five members 269. Giustiniano: 'Il re mostra gran cuore—ma sproveduto di danaro e forse di savio e fedele consiglio lascio dubbioso il fine.'

the 11th, as they could not attend to business in safety there, so long as their violated privileges were not re-established, and meanwhile to appoint a committee, which should sit at Guildhall, and before everything else devise means for the restoration of security [1]. On the 6th we find this committee already at Guildhall: a deputation of the common council in their chains and gowns of office welcomed their appearance. The first decision of the committee was, that the impeachment of the five members was illegal, and a breach of the privileges of Parliament. On this was based the second, in opposition to the King's new order of arrest, that whosoever should attempt to obey it should be treated as an open enemy of the commonwealth. But if all that had been attempted against the five members was declared unlawful, there was no ground for depriving them of their share in the proceedings. On January 7 in Grocer's Hall, for the common council could no longer spare the room at Guildhall, the committee resolved to summon back the five accused members to its deliberations, without regard to the King's decree. Thus the deputation representing Parliament included in its own body the men whom the King designated as traitors, and in so doing had the full support of the capital. In the common council, through the influence of the newly elected members, even before they had formally taken their seats, the party opposed to the King had now the upper hand: the notion was fully accepted that the city was pledged to defend Parliament and its privileges. The common council appointed a committee, which, in concert with that of the Commons, resolved, on the ground of the attempts that had been made, to form a guard for defence against them. The city thought it necessary to take precautions for its safety against such a commandant of the Tower as John Byron; it was determined to raise an armed force under an officer in whom Parliament and the city should have full confidence. Such a leader they found in Captain Skippon, a man of Puritan opinions and a

[1] From D'Ewes, in Forster 276, it seems to follow that the resolution was devised in Coleman Street, whither the five members had fled, and only accepted by the House.

supporter of the Parliament, who had learned war in Holland, and had raised himself from the lowest rank: he was placed as major-general at the head of a guard, at first of eight companies, which was immediately formed in the city and its neighbourhood. No one was admitted into it who had not taken the oath of protest. And without scruple they faced the possibility of thus coming to open war with the King. In the seventh article of the resolution Skippon was expressly authorised to attack as well as defend, in case violence was offered to him: and this service, said the twelfth article, was to be counted as legal, and as rendered to the King, the kingdom, and Parliament—for so long as it was in any way feasible they observed forms. The sitting of the 10th was the first in which the five members again took part: we see what an importance its conclusions had. Nor were they contented with this alliance between Parliament and the city: they accepted an offer made by Hampden in the name of some thousands of his Buckinghamshire constituents, to live and die in defence of the rights of the Lower House. Thus completely did the impeachment of the five members, in which Charles I thought to find deliverance and safety, and his attempt to seize them, result in his discomfiture.

The King held his conduct to be valid and lawful: Parliament declared it in the highest degree unlawful, both the scheme itself and every separate step. We will not undertake to decide this controversy, but we may remark that it touched the very core of the pending questions. All the claims of the Lower House depended on its representing the commons of the country. As the individuality of the members would be shown in the discharge of this high duty, so it was protected by the very idea. The House which for ages has maintained a certain jurisdiction for the preservation of internal order, is alone possessed of the right to judge of the misdeeds of its members within its precincts, or even of the charges which are brought against them. Without this an external power would be able to interfere with the conditions of its internal action, or directly to disperse it by repeated accusations and arrests. The assembly forms a moral person, which alone acts, so long as it is in session: only if it assents and surrenders its

members, can they be brought to justice. On this foundation depend its privileges: the members are thereby raised personally above their natural position as subjects.

On the other hand the King maintained that the entire supreme power, and the care for the general interests, were entrusted to his hands. In cases which implied a danger to the whole state, he would on no account abandon the right of arrest in order to prevent such dangers. Every day's experience showed that this power was exercised in the great neighbouring monarchies without any reserve whatever, and powerfully contributed to their strength and stability. Now, as before, Charles I regarded members of Parliament merely as his subjects, and would exercise the inherent rights of his office against them as well as others. What he now treated as a crime in them was the attitude of political hostility which they maintained; he thought to be able to punish it as treason against the crown. The Parliament on the contrary saw in every infringement of their inviolability an attack on the institutions of the country: to have taken part in them it declared to be treason[1].

The King succumbed in this contest chiefly because the capital, carried away by the religious sympathies of the populace, sided with the Parliament; deeming itself pledged to protect the privileges of Parliament, whatever sense might be put on them by Parliament. The armed force which it might have been expected that the King would raise for himself, received, under the guidance of the city, an impulse against him.

He had gone back to Whitehall, as has been said, thinking the city was favourable to him. When nothing but hostility and contempt was displayed towards him from thence, he could not wish to remain longer in the neighbourhood. Moreover the Queen found her stay unendurable. She one day called the attention of the Dutch ambassador to certain persons whose presence in the palace was not to be avoided, but who, she said, were there merely to spy her actions and

[1] 'The violating the privileges of parliament is the overthrow of parliament.' Heads of the conference with the Lords.

those of the King. Her oldest friends of both sexes were in this category: the most detested of all was the French ambassador, her brother's representative. There seemed also to be danger if Parliament, as was reported, came back to Westminster with the civic guard, there being no means for repelling an attack on the palace. The Queen thought that the least she had to fear was being separated from the King[1]. Under these circumstances the King and Queen resolved to quit Whitehall: they first returned to Hampton Court, though no preparation had been made there for their reception, and soon afterwards, not feeling safe enough there, repaired to Windsor.

Meanwhile the sittings in the Lower House had been resumed on the appointed day amid great popular rejoicings. Two or three thousand mounted yeomen had come in: the sailors of the Thames occupied the river with numerous barges: the militia and guards were drawn up in their ranks: the young men from the stalls and workshops appeared with flags and pikes, and poles on which printed inscriptions announced their troth and devotion to the laws, liberty, and religion. Then the Committee, which hitherto had sat in the city, with the five members and Lord Kimbolton, entered a boat at the Three Cranes, which was joined by a great number of others: amid salutes of artillery and hearty congratulations they were conducted back towards Whitehall hard by. The King had fled: the chamber occupied by the Commons might be regarded as the supreme seat of authority.

A momentary embarrassment may have been caused, through the nature of the parliamentary forms, by the King's having departed. But it was already usual, at least on one side, to require obedience to decrees issuing from the Lower House only. In order to obviate the counter effects of the King's personal commands, they devised the formula that only those orders of the King which should be issued with assent of both Houses, were to be fulfilled. This was

[2] Aerssen: 'LL Majestés me disants, qu'elles étoient assurées, que mardy ou mercredy ils viendroyent pour separer la royne du roi.' Guistiniano: 'Dubitando per avventura di quei mostruosi successi, che senza riguardo tengono di presenti in esercitio le lingue delli piu appassationati.'

used, so far as I can discover, for the first time in the nomination of Skippon: his dismissal could only be effected by a royal order expressed through the two houses, that is to say, not by the King's command but according to the opinion of the houses. On a similar principle the commandants of the chief places received instructions to admit no reinforcement of their garrisons without a royal order backed by the assent of both houses.

Immediately after the resumption of its sittings, Parliament renewed its complaints about the bad advisers of the King, about the favour shown to evil-minded persons, and the neglect which others experienced: but it now went further than ever before. A commission appointed to consider ways and means for the restoration of peace reported that the greatest of all evils was 'the influence which recusants, priests, and other malignants have over the Queen, the influence which these possess in the State, the great influence which she has over the King.' It is obvious that nothing would content the Parliament but an administration composed entirely of their partisans, and the absolute subordination to it of all personal authority.

There was no longer a word of any opposition from the House of Lords. Energetic expressions employed there against the proposals of the Commons sufficed to give rise to a formal accusation against them. One day, after an unsatisfactory conference with the Lords, Pym declared that the Commons would be very well content to have their help in saving the country, but if not they were determined to do their duty alone: but surely it would not come to be recorded in history that the Lords at a time of so great danger had taken no part in saving the country. Through various concurrent circumstances it came to pass that what had been the minority of the Lords now constituted the majority. The Upper House, on February 5, assented to the bill by which the bishops were deprived of their voice in Parliament.

To change the administration and overthrow the bishops was the purpose which the majority of the Lower House had pursued since the commencement of the new session. The last contest had broken out because the King would not give

way on these points. After this battle had been decided, and the King defeated, nothing else was to be expected than that Parliament would proceed without further hesitation to accomplish its purpose. It had already taken care to have an armed force at command for the maintenance of the position it had won.

But to what had the British monarchy of the Stuarts been reduced! Its aim was to form the three kingdoms into an union which should consult the interests of all equally. The prerogative of royalty by the grace of God, and Episcopacy, were to form the foundations of public power, and peace abroad serve to maintain tranquillity at home. Not unsuccessfully the first Stuart supported this system which originated in his own brain, more by a clever and versatile management of affairs according to the circumstances of the moment, which he moulded to his will with tenacious perseverance, than through great qualities which might have availed to bind men's hearts to his cause, or institutions which might have given it independent permanence. The system had not strength to bear the test of a war, in which the second Stuart let himself be entangled, and Great Britain remained far below the rank which properly belonged to her. At home the war was a signal for all contending elements to show themselves. Charles I was by nature at once lawyer-like and priest-like, deeply convinced that the doctrines which he believed, the rights which he claimed, were true and pleasing to God, and (after the precedent of 'his wise father') that both possessed intrinsic power. His opponents were in his eyes the enemies of the cause of God, which was also his own, and which he was born to defend. Of the rights of others he had little understanding, and but a slight opinion of their strength, as if they did not much signify so long as external order lasted. Then it came to pass that through action and reaction this order was broken through at the most vulnerable point. The policy in which the King saw a divine necessity, and the safety and future greatness of Great Britain, was regarded by the greater portion of his subjects as violence and oppression

at home, weakness abroad, and inclination towards a system detested by them, which was just then threatening the world with subjection. Then the Scots rose, with the strong effort of a long-suppressed religious and national impulse: the idea of independence for their Church spread to the State also. While the King was preparing to master this opposition with the strength of England, the latter also rose in analogous opposition to him. He was obliged to restore Parliament, with which, during the war, he had been fundamentally at variance, after having long avoided it: Parliament claimed its primitive rights in their fullest extent, and would assent to nothing but an unmistakeably Protestant policy. In the course of this struggle the native enthusiasm of the Irish also rose in arms, to cast off the subjection in which they were held by the superior power of the Protestant and Teutonic element.

Charles I was not formed by nature to wage such a war successfully: he was not fully master of his own court and council, which was full of cabals in which foreign powers took part, in the very year of this contest. While he only took counsel with his partisans, he could not prevent some of them from acting with an eye to their own particular interests, which made others adopt the opposite view with embittered pertinacity. He himself was always occupied with his own intentions; the purposes, strength, and probable acts of his opponents he had not the penetration to measure: we see him with the utmost confidence undertaking what was to the last degree ruinous. With this was united a false wisdom: for the sake of some greater end he would assent to things which in themselves he disapproved. Then when his ultimate views came again to light, beside those which for the moment he had admitted, he appeared in himself untrue and untrustworthy: his opponents held themselves justified in taking security by any means against his returning to his old intentions. His adversaries on the other hand, were consistent, vigilant, and suspicious: in opposition to the notion of a compact power, not weak in itself, but merely represented as such, and always dreaded, they placed the feelings of provincial and constitutional autonomy, which, when once penetrated by the feelings and ideas of individual freedom, disclosed an invincible

strength. Thus it came to pass that one of the British kingdoms attained to an independence which robbed the crown of all substantial influence: the second was striving to conquer by a bloody insurrection, stained with horrible crimes, the same independence for its Catholic population which was enjoyed in the first by the Protestants: while in the third and greatest an authority was being established which aimed at absorbing the royal power.

The course of events had virtually decided that the original system of the Stuarts could not be established: but what shape the British kingdoms would assume, whether they would hold together or separate, what forms and principles of government would ultimately triumph,—all this lay buried in total darkness.

England had not stopped at the constitutional questions which presuppose an assured social order. We have more than once remarked on the significance of the attempt to overthrow Episcopacy, which formed one of the fundamental conditions of English society, and of the constitution. This had been done earlier still in Scotland, though not without serious danger, in the first stage of the Reformation movement, in which the truth of doctrines and the salvation of men's souls were at stake. It was otherwise in England, where doctrines in general were undisputed, and the episcopal order, which was most intimately connected with the doctrine, had the deepest root in the nation. That Parliament thought to destroy and uproot this order is, among all its undertakings, the one which most distinctly bore the character of revolution—for where should destruction once begun find an end?—and of one-sided party violence. To the King it was in a measure useful, for by opposing it he regained a tenable position and the possibility of resistance. He could now with obvious truth retort on his opponents the charge which they had made against him, of seeking to overthrow the laws of England. Charles could assert that he would never permit any alteration in the lawful condition of England. 'Nolumus leges Angliae mutari' was firmer ground for him than the indefinite and questionable rights of prerogative, which at an earlier time he had sought to maintain and extend.

No words are needed to show the universal historical importance of these contests in Great Britain; both the purely constitutional ones, and those extending into the domain of revolution, of whose development we have undertaken to treat. It was our object to watch the origin of them on this classic ground of all constitutional history. It is an event which concerns all, this shaking of the foundations of the old British state. Whether they would stand the shock, or, if not, what shape public affairs would in that case assume, was a question which must concern the Continent also; the civilised world is still busy day by day with more or less conspicuous complications of the spiritual and political struggles arising from similar opposing principles.

BOOK IX.

THE ENGLISH CIVIL WAR. 1642—1646.

In the states of Western Europe constitutional rights from a very early date had contended for the mastery against the supreme executive authority: but this strife assumed a new character, as to the principles involved and the system on which it was waged, from the date when the spiritual questions raised by religious controversy came to be mixed up with those purely political. In this respect creed made no difference. Starting from the demand for ecclesiastical uniformity, the French earliest of all sought, under the impulse of Catholic fanaticism, to confine their government within the narrowest limits in the sphere of politics also. In the year 1576 the Estates at Blois asked the assent of the crown to the resolutions passed by them: they wanted to exclude from the Privy Council all members hostile to them. In 1585 the Guises at the head of the Catholic League proposed assemblies of the Estates, recurring regularly every three years, which should keep a reckoning between prince and people. The chief among several grievances which roused the population of Paris to insurrection against Henry III was the tolerance accorded to the Huguenots in contravention of the old laws of the land. In the assembly of 1588 the Estates formulated the demand that the King not only should administer the finances with their co-operation, but also should in future neither declare war nor conclude peace without them. In the assembly of 1593 they proceeded to dispose of the crown itself: the doctrine was, that if the King disregarded the fundamental laws of his kingdom, namely

the spiritual laws, his authority reverted to those by whom it had been conferred, that is to say, the Estates. It was only the departure of Henry III from the capital, and the military exploits of Henry IV, that preserved the personal authority of the French kings.

We may perceive at a glance the manifold analogies between the English events of which we are now treating, and those which had taken place in France half a century earlier. Both began through a desire to make the recognition of the exclusive dominance of one religion effectively binding on a government not decidedly inclined to that party: in both the one-sided tolerance displayed by the princes formed one of the chief grounds of complaint against them: the demand was not only for the full execution of the ecclesiastical laws, but also for the unconditional validity of the resolutions passed by the assembly of the Estates wherein these opinions prevailed, for periodic meetings of the Estates, and the dependence on them of the highest officials and of the entire administration—with this difference, that what in the one kingdom was desired for the benefit of Catholicism, in the other was meant to aid the Protestant cause. The religious principles were opposed to one another, the political were to a large extent identical.

In England however all was more deeply rooted and more firmly established than in France. The preponderance of Parliament was far more a matter of historical usage than the power of the Three Estates in France: it had grown up in far more intimate union with the feelings and habits of men. Further, while in France the motives derived from foreign connexions occupied the whole foreground, and were as clear as daylight, in England such motives were weaker and more obscure: the movement assumed a prevailing national colour. When at last after long disputes every chance of a peaceful result had vanished, it was obvious that in England the war must involve far greater danger to the crown. From the different development of the contending principles in the two countries arose the divergence in their later history. At that time the English crown was not yet without military resources, and the example of France might serve as an encouragement

to challenge the fortunes of war on the King's behalf. The English capital had taken as active a part in favour of the Puritan Parliament as the French capital for the exclusively Catholic Estates. Charles I had been obliged to quit Westminster and London as Henry III had quitted Paris: since the successor of the latter had within a few years made himself master of Paris, and had brought about a reaction at least in politics, might not the same future be possible for Charles I also?

CHAPTER I.

ORIGIN OF THE CIVIL WAR.

THERE is an important point of connexion between English and French history in the fact that the Queen of England was a daughter of Henry IV, and had her father ever in view as the ideal man and prince. She had grown up under the influence of those prevailing Catholic sentiments which her Florentine mother favoured, and in ideas of the unconditional supremacy of royalty and of the claims of birth, such as had come into favour under her brother: almost more than he she showed that the blood of Henry IV flowed in her veins.

We know how long it was before she could obtain any certain influence over her husband. He put an end, with a decision which no one would have expected in him, to the religious demonstrations of her household, of which she approved: he allowed no scope to her personal sympathies, which were directed across the Channel; he supported his ministers against her. For Charles I was fully conscious of his royal calling: he would not let his position be interfered with by foreign influences: only in cases of mercy was the Queen's intercession ever attended to. Hostility to Cardinal Richelieu, who had deeply offended both the Queen through her mother and the King by his connexion with the Scots gave the first occasion for an understanding between Charles and his consort which was of importance in public affairs; it formed as it were a common interest between them.

The Queen reconciled herself to the dominion of Anglicanism, while it supported the prerogative, on which again toleration of the Catholics was based. Hence also attacks on the

prerogative, the unconditional validity of which had been assumed in her marriage treaty, appeared to her like an assault on her personal rights. She had that fiery conviction of the truth of her creed which is frequently characteristic of clever women: they see in every deviation from it either error, or a wicked design, or actual crime: the feeling of being in the true faith fills them with pride and utter contempt for its enemies. How much more must this have been the case where religious hostility was in league with political attacks on the rights of royalty. In the efforts of the Puritan party in Parliament Henrietta Maria saw so many blows aimed at all human and divine rights. She had not yet fully converted her husband to these views, but she impressed him by her quick, spirited, and lively intelligence: events aroused in her a far more active spirit of resistance than in him: she divined the purport of the intentions of her opponents, and the inevitable results of the steps taken by the King. The fact that her views and predictions were justified by the event, gave her a double influence over him, so that he formed a very high opinion of her talents. Long as they had been married, she had never lost the traces of passionate affection: once, though half jestingly, she showed signs of a nascent jealousy: but the King wished to please her and go hand in hand with her; as her penetration convinced him, so too he loved to win her approval. Her judgment was especially decisive in personal matters: she boasted once that as soon as she had gained credit with the King, she had restored to his favour persons whom before he had hated[1]. Now however the bitterest hatred of Parliament was directed against all whom she favoured or listened to. Persons, at least as much as principles, were the great exciting cause of the movement[2]. The Queen herself was directly attacked and threatened by this hostility. To arm against the Parliament was for her a matter at once of self-defence and of ambition; she aroused for this end all the energy which the King possessed.

[1] She told Grecy: 'Les personnes qu'il (le roi) haïssoit, lorsqu'elle étoit sans crédit, elle les avoit retablies depuis qu'elle a pris créance auprès de lui (du roi).'

[2] Montague: L'état des affaires d'Angleterre en 1642: 'le prétexte du parlement n'est pas contre la royauté même, mais contre les personnes.'

Charles I desired to defend not merely himself but also his wife and family. In this community of interests, of opinions, and of dangers, the Queen obtained, if not absolute dominion, at any rate the greatest influence over the King.

Her fear lest they should be separated had contributed mainly, as we have seen, to their joint resolve to quit London. There was however in this no despondency: the court merely wished to save itself from being coerced by the immediate pressure of the mob: the plan of taking up arms and threatening the city itself was connected with this removal.

Parliament was greatly disturbed by the news that the officers and armed men who had been dispersed from Westminster had reassembled at Windsor. Digby told them that the King had retired from the city in order to avoid being trampled on. He himself appeared in the field at the head of a small body of men with his friend Lunsford, and was suspected of intending to seize Kingston-on-Thames. It may safely be assumed that this suspicion was well founded. Some months later the Queen frankly told a French agent that the purpose of herself and the King had been to seize, from Windsor, a strong place in the neighbourhood, but that this had become impossible when the Parliament placed troops between that point and the castle[1]. These were the militia of Surrey and Bucks, who were immediately despatched, and dispersed the royal troops before they had fairly assembled. Lunsford was brought back a prisoner: the subtle Digby escaped.

From Kingston, where there was a considerable magazine, the King would have been able to communicate with Portsmouth and Hull, as well as with the Tower. The attention of the Queen was especially directed towards Hull, where there was a great store of arms, enough, as was supposed, for an army of sixteen thousand men: but the project of making an immediate attempt upon that town was frustrated, as far as we can see, by the opposition of members of the Privy Council,

[1] So she herself soon after related to Grecy: 'LL. MM. s'étoient resolu de se retirer de Londres en une de leurs maisons pour de là s'emparer d'une place forte, qui n'est pas beaucoup éloignée.'

who feared by such a step to provoke the Parliament to arms, with which they still wished to maintain a tolerable understanding[1].

The Queen was of an entirely different opinion: she held that the only way to arrive at an accommodation was first to come to a distinct breach; that only when the King had definitely opposed himself to Parliament would he find the means for resistance.

If however the court had no strong places at its command, the Queen could not stay in the country. She did not feel safe in any of the country houses and badly fortified castles which were at her disposal: she was afraid of falling some day into the hands of Parliament, a prospect which seemed to her both disgraceful and dangerous. The idea of her leaving the country for some time, which had often been thought of before, was now again mooted: there was a further reason, as she said, in the fact that her presence irritated Parliament against the King. Still a regard for her own safety and for the King's negotiations was by no means the only reason for her departure: when the Queen fled, as undoubtedly she did, before enemies who were too strong to be faced, she hoped at the same time to be able to provide the means requisite for their overthrow. She resolved to conduct her daughter to the house of her future father-in-law, who would be greatly obliged thereby, for he had already through his ambassadors expressed a wish that this should be done, and would afford her support. She had jewels with her, including some left by Queen Elizabeth, and intended to sell them, or pawn them as security for the loan she hoped to raise: and she thought that with the arms to be purchased with the proceeds, or with the money in cash, her husband would be in a position to declare war if necessary. He promised her not to depart without her knowledge from the resolutions which they had adopted together, and especially to make no further concessions to Parliament. Prince Rupert of the Palatinate had already come to Dover with the purpose of taking arms in his uncle's cause. He was told

[1] Cp. Letters of Queen Henrietta Maria 117.

that the time was not yet come, and accompanied the Queen to Holland: but at Dover men spoke without any reserve of the probabilities of war within a short time[1].

All hope of an accommodation was not yet given up: the negotiations had not been altogether broken off by the King's departure from the capital: on both sides they still thought it possible to avoid extremities.

On one of the most important questions there had been some approximation. The King had at last agreed to what the Lords, after the violent transformation of their house, had by a majority accepted: he prevailed upon himself to sanction the exclusion of the bishops from their temporal offices, and especially from Parliament. He had two motives for this; first, that otherwise the departure of his Queen would not have been permitted; secondly, that he saw no other means of saving the existence of the bishops in their spiritual character, the episcopal church government, which the opposition intended to destroy. He regarded Episcopacy as a divine institution which he durst not overthrow: but he held it to be allowable to surrender under the pressure of circumstances, he hoped not for ever, the temporal authority which had been committed to the bishops.

Even on the other great dispute, which was now prominent, concerning the chief control of the military power, the King had shown some signs of giving way. When towards the end of January he was urged to entrust the fortresses, as well as the command of the militia, only to persons whom the two Houses of Parliament should have recommended to him, he answered with much emphasis that the appointment of military commanders was one of the jewels of the crown that could not be parted with: but he added that he wished to know the names of the men in whom Parliament had confidence, as well as the extent of the power which they thought to confer, and the length of time for which it should be held. Such concessions were scarcely expected, and awakened in

[1] The Life of Prince Rupert, probably by his secretary, in Warburton's Memoirs of Prince Rupert and the Cavaliers i. 460. 'It was not found proper at that time to make any countenance of a war, matters not being as yet come to that height as to despair of an accommodation.'

the country a lively hope that all might even yet be amicably settled[1]. What was the point at which this hope broke down?

Immediately after the King's return from Dover to Greenwich the list of persons recommended, as well as details of the power intended for them, and its duration, were laid before him. In the names he found not much to object to: about the extent of power he raised some legal difficulties, which however might very well have been removed: but he was only the more resolute in his resistance to the terms suggested as to its duration. Parliament claimed exclusively for itself the right of revoking the appointments, as well as authority to punish any disobedience to its ordinance[2]. The King however had never intended to go so far. He might very likely have been persuaded to temporary compliance: as the scheme stood, it implied his renunciation for ever of all military authority. To this Charles I would not assent, declaring in the most emphatic language that he could not entrust to others the power placed in his hands by God, through the laws, for the defence of his people, at all events without being able at any moment to resume it. All now depended on whether Parliament would be content with this limitation.

There were not wanting some in the assembly who would have been satisfied with this, as the control of the army had always been a right of the crown. But what security would there have been in appointing military commanders whose powers might be taken from them by the King at any moment. The debate filled many with gloom and fear of misfortune[3]. Whatever they might do, whether they remained quiet, or regulated the militia under the authority of the two Houses, matters had come to a crisis, 'to a desperate pass.' In the Lower House the determination to adhere to

[1] This expectation is loudly expressed in the pamphlet, Joyful Tidings to all True Christians, Jan. 1642. According to it the King had declared 'that hereafter he would altogether join with them' (the Parliament).

[2] 'That the powers granted shall continue until it shall be otherwise ordered or declared by both houses of Parliament.' Ordinance of both houses.

[3] D'Ewes characterises the debate as 'full of sadness and evil augury.' Sanford 482.

their purpose, and consideration of their own danger prevailed. They first resolved that the King's answer must be regarded as a positive refusal, and then agreed upon a new memorial, in which he was told plainly, that unless he declared himself ready to satisfy Parliament on this point, and that at once, through the members who presented the memorial, they had determined to take control of the militia under the authority of the two Houses, and the words were added, 'for the rescue of the King himself and of his kingdom.'

Charles I replied that he was astonished at this message: his answer had contained all that he could grant in reason, justice, and honour. After a few days Lord Pembroke once more put the question, whether he would not, at least for a short time, surrender to Parliament the right of control over the army. The King answered, not for an hour: things had been demanded of him which had never before been asked of a King. He was now against any temporary concession.

Parliament however paid no further attention to him. They adhered to the fiction that the agreement of the two Houses implied the royal will, even when the King in person had in the most decided manner expressed an opposite view. After receiving his answer the Lower House passed a resolution that the kingdom should immediately be put into a state of defence under the authority of Parliament, in the manner already fixed (March 2). Some few lords of ancient name, such as Lindsay, Grey, Seymour, Capel, offered some resistance: but the majority agreed to the conclusions of the Lower House, and action was taken immediately according to their tenour.

The King was on his way to the North, when he received a declaration stating the reasons for these resolutions: he did not delay a moment the issue of a counter declaration (Huntingdon, 15 March) in which he repeated the contents of his last message; at the same time he called attention to the fundamental laws of the realm, one of which was that no subject was bound to pay obedience to any act or command to which the King had not given his consent. He stated that he required obedience to the existing laws, and simply forbade any compliance with orders not ratified by

himself; both generally, and in special relation to the army, no ordinance was to be carried out in which he had no part[1]. He did not stop, it will be seen, at the immediate circumstances of the case, but raised conspicuously the great constitutional question which Parliament had decided for itself, or treated as if already decided.

The Parliament was not misled on either point: this time the majority of the Upper House took the initiative. On the evening of the 16th arrived the message from Huntingdon: on the evening of the 17th first the Lords and then the Commons adopted the resolutions, first, to adhere to their earlier declarations in relation to the army[2], secondly, that the Lords and Commons in Parliament possessed the full right of declaring what the law of the land was, and that to dispute or deny this, or to issue an order that any such declaration was not to be attended to, was a breach of the privileges of Parliament. Whoever advised the King, added the Lower House, to send this message, is an enemy to the peace of the kingdom.

This is the moment, if we would fix it exactly, at which reconciliation between the King and the Parliament became impossible. Hitherto the opposing manifestoes had always assumed the possibility of a reconciliation, although they obviously risked a different result: but the gulf between the King's declaration on the 15th, and the answer of Parliament on the 17th, could not be bridged over: the two powers now stood most distinctly opposed to each other, both in their general claims and in their specific demands. The latter in fact implied the former: they formed a kind of summary of the whole dispute.

From this point the dissension, which hitherto had been confined to the constitutional authorities, spread over a wider field. King and Parliament together had formed the authority which every one was bound to obey: what was to happen when these issued contrary orders? The question

[1] Message from Huntingdon. 'His Majesty being resolved to observe the laws himself, and to require obedience to all them from all his subjects.' Journals 481.

[2] In the Lords with the addition 'notwithstanding anything expressed in this message.'

to which of the two they would render obedience was set first before the commandants of certain fortresses.

In the first days after the King's departure, when Digby and Lunsford were stirring, it was remarked in the city that arms and ammunition were being brought out of the Tower, and an unusual quantity of provisions carried in. Not only was this immediately forbidden, but also, in order to make it impossible, a levy of militia, under the command of Skippon, was stationed in the approaches to the Tower, and information immediately conveyed to the Common Council. The Lieutenant Constable, John Byron, was greatly astonished when the Sheriffs of London and Middlesex informed him of this arrangement. He declared to them that it ran counter to the privileges of the Tower, which he had received orders from the King to maintain. They referred to the commands of the two Houses, in which the royal will was contained, and threatened him, if he did not obey, with open force and a formal blockade on the side of the river. John Byron was the first to give utterance to those feelings of chivalrous loyalty, without any stain of factious ambition, which still survived in a large part of the nobility and gentry. He wrote to the King's secretary that he would take care that, in conformity with his Majesty's commands, he gave no valid cause for dispute: but he said that they were seeking occasion against him [1]. If they cut off his supplies, and attacked him with open force, he certainly could not promise, in the condition he was in, to hold out long: but they should purchase both the place and his life as dearly as he could make them [2]. It was not however to come to such extremities. The Commons preferred at once to request the removal of Byron: the King begged to know their complaint against him: they answered that in times of imminent danger the advice of Parliament was a sufficient reason. Charles I did not in fact dare to resist: for these were the

[1] Letters of John Byron in State Paper Office, Jan 22. 'Though I carry ever so fairly, they are resolved to pick quarrels with me.'

[2] 'I cannot promise to keep that place long, in the condition I am in, yet I will sell both it and my life at as dear a rate as I can.' A worthy ancestor of the great poet!

days before the departure of the Queen, when he sought to avoid a formal breach. Byron was present at the sitting at which the King's answer in the affirmative was announced. He said that only one charge could be made against him, of having been appointed by the King and being faithful to him, and only begged to be allowed to resign the place into the King's own hands. With the King's consent the Tower was now finally handed over to a governor of the Parliamentary party, named Conyers.

Similar sentiments were expressed by Colonel Goring, commandant of Portsmouth, who this time did not flinch. He was summoned by Parliament to Westminster to give advice about arming the country: he delayed to appear for some time, and when no other pretext was available, declared plainly that he saw that Parliament was entering on an illegal course, and refused his obedience. He made his garrison take an oath of this tenour, and admitted within the walls of his sea-fortress none but undoubted adherents of the King.

A direct and typical conflict between the views of Parliament and of the King in relation to military authority took place at Hull.

Kingston-upon-Hull, which had grown from a fishing village to a considerable town, through its favourable situation for the northern trade, had been carefully fortified by Henry VIII, who devoted to this purpose some of the spoils of the monasteries. Strafford had placed a military magazine there to serve for the war against Scotland: since the disbanding of his army, the block-houses, castle, and magazine had remained under the charge of the magistrates and inhabitants of Hull. The attention of Parliament had long ago been directed to this place: the mayor had been requested to disarm all recusants in the city and its neighbourhood, as danger was apprehended from them. Now however that an open breach had taken place, the danger was grown most serious, particularly as the court at once turned its eyes on Hull. Parliament resolved to secure the place by a governor who could be fully trusted, Sir John Hotham. Hotham had taken part in the German war in the service of the Elector Palatine, and had been promised by the King the reversion

of Hull, but afterwards had attached himself decidedly to the dominant party in Parliament, of which he was a member. He was a rude soldier, violent and ambitious, and had a very good idea of how to combine his opinions with his interests: he immediately sent his son to take possession of the post to which Parliament had appointed him. Meanwhile Lord Newcastle had also entered the town, though under another name, in order to win it for the King, and introduce a Royalist garrison. The mayor and aldermen of Hull were in the utmost perplexity; for the moment they admitted neither force, and prayed Parliament, through the representatives of the city, to come to an understanding with the King about the introduction of a garrison: but under the influence of the elder Hotham, Parliament spurned any such evasion of the difficulty [1]. In the city itself the magistrates were mostly for the King, but the greater part of the citizens inclined to the Parliament. Under these circumstances Hotham gained his point, and entered Hull with orders to admit none but Parliamentary troops.

The King had by this time (March 19) come to York: he had been inclined to return to Scotland, but the country gentry, as well as the inhabitants of the city, displayed so much devotion to him that he determined to remain. Both the interests of the county and his own required the occupation of Hull. There was no doubt that Hotham would reject every other measure: but would he have the face to oppose the King himself? Charles I, who in spite of so much contrary experience, was always persuaded of the vast influence of royalty, deemed this impossible, and resolved to go in person to Hull, and obtain entrance into its fortifications.

Towards the end of April the Elector Palatine, and the King's younger son, James, arrived one day in Hull for the purpose, as they said, of inspecting the fortifications of the place in company with the governor. They were still busy with this, when the King sent word that he also meant to

[1] The younger Hotham had written, 'Fall back, fall edge, he would put it to the hazard.' Sanford 475.

come, and that accommodation must be provided for him and his suite: he might have some three hundred men with him. But Hotham knew that if he admitted only twenty, he should no longer be master of the place, where there was still a considerable number of Royalists. His resolution was instantly taken: he raised the drawbridge and informed the King, who was already at the gates, in the humblest language, but still in direct terms, that he could not admit him without violating the confidence reposed in him by the Parliament.

The speech is extant in which Hotham justified his conduct to the inhabitants of Hull[1]. He declared that it was his duty to die for King and Parliament, but when there was hostility between them, he must obey the latter; that Parliament was entrusted by the King and nation with power to order everything that concerned the common weal: if it noticed dangers anywhere, it was bound by its duty to obviate them, and no one could then refuse obedience to it, without breaking his troth to the sovereign. He took credit to himself for what he had done, and said that he did not think to renounce his loyalty to the King in proving his obedience to Parliament for an example to others.

Thus was accomplished in a striking manner what had long been pending: the authority of Parliament as representing the nation, in military matters as well as all others, confronted the personal power of the crown, and that with a claim to superiority. The King was refused admission into one of his fortresses, in the name of the authority represented by the two Houses of Parliament, in which his own title was comprised. Charles I had to retire from Hull without achieving his object. He declared John Hotham guilty of treason: but Parliament replied by resolving that such a sentence on a member of the Lower House, especially without any

[1] In the pamphlet 'Five matters of note.' 'The Parliament being called and established by the authority of the King and consent of the kingdom to effect all things that are agreeable to law tending to the preservation of His Majesty's peace and welfare and the general good of the subject—if they, foreseeing a danger—endeavour to prevent it, and the persons by them commanded falsifie their trust, they are traitors.'

judicial proceedings, was a new breach of the privileges of Parliament, and an illegal act on the King's part.

Thus was one legality opposed to the other, one obedience to the other, one conception of the supreme power to the other: and the great question now was, which of the two would gain the upper hand in England.

There were still numberless persons who would not listen to the argument propounded by Hotham at Hull, but professed a doctrine totally opposite. The Lower House, they said, is elected by subjects, and represents only subjects: no sort of authority over princes can be conferred on it by them. Parliament appealed to the fundamental laws of the realm; but we must first know what is their true meaning: it seeks to give effect to the protest passed and sworn to three years ago, but in that the honour of his Majesty was reserved. The King has conceded all that can fairly be asked, perhaps too much: Parliament is openly usurping the whole executive power, and desiring to wield it at its pleasure: but there cannot be two swords in the kingdom. Certainly in obeying the King we have no idea of neglecting the duty we owe to the kingdom.

These opinions prevailed at York[1], whither the King returned from Hull: and once they were manifested there unmistakeably. In an assembly of the county gentry Charles I explained what had happened, adding that he would rather lose his three crowns than leave such an insult unpunished[2], and asked them to form a guard for his protection. What the King said of his own position was greeted with joyful assent, but what he let fall about the intentions of Parliament roused expressions of disapproval. In a second assembly, at Heworth Moor, near York, the freeholders and tenants also took part. The King appeared at the head of his newly-formed guard, both horse and foot: the nobles and gentry constituted the first, the militia

[1] 'York is a sanctuary to all those that despise the Parliament.' Letter sent by a Yorkshire gentleman to a friend in London, June 3, 1642.

[2] So says Giustiniani: 'Protesto ad alta voce, eleggere di perdere le tre corone, che porta sopra il capo, piutosto che lasciare senza severo castigo aggravio di tanta consequenza.'

the second. A proclamation was issued in which the King professed his adherence to the Protestant religion and the laws of the land, and claimed the support of the assembly in maintaining them. The Cavaliers waved their hats: the people cried 'God bless the King': yet even here there was not complete unanimity. There were still some Puritans and adherents of the Lower House in York who were encouraged to express their sentiments by the presence of some commissioners of Parliament. At the meeting Thomas Fairfax placed a petition of this nature on the pommel of the King's saddle, who refused to receive it, as coming from a single man: it seemed to him sufficiently rejected by the joyful acclamations of his partisans. A devoted mob, of perhaps 20,000 men, attended him back to the city as if in triumph. The Cavaliers had the upper hand in York as decidedly as the Roundheads in London. The ancient nobility, such as the Savilles, who were now again firmly attached to the King, set the fashion which was followed by most of the city and county. The York people would scarcely endure the Londoners who were settled there in business: they regarded them as accomplices of those who had transgressed against the King. Three knights brought to the King as a present a charger splendidly caparisoned in the ancient style: the velvet which covered it reached to the ground [1].

Similar exhibitions of chivalrous and popular adherence were made in Derby, Lancaster, and other northern counties.

The thirteen counties of Wales unanimously rejected the requests made to them by Parliament, and assured the King of their entire devotion. The sheriff and gentry of Nottingham entreated Parliament not to expect them to make war on the King, to whom they were bound by the oath of allegiance and supremacy. This address is also remarkable, because it touches on all the questions which at that moment the men who had not yet committed themselves to a party were most anxiously deliberating. The theory of what might be considered lawful in England was discussed

[1] A diurnal out of the north. July, 1642.

at length: the view taken is, that as the King and Lords can make no law without the assent of the Commons of England, so this threefold cord may not in any way be separated: the Commons with the Lords are equally incompetent to make laws, so that what the Parliament called laws were merely declarations of opinion, to which no one was bound to pay obedience.

From this point of view others sought to define more closely the relations of the three powers. The union of monarchical, aristocratic, and democratic forms in the English constitution, contrived by the wisdom of antiquity, was, they thought, endangered by the demands of Parliament. The object of the monarchical form was that the country under one head might be able to repel foreign attacks and quell internal tumult, and for this it was indispensable that the head of the state should possess the right of making peace and war, as well as the nomination to the military and great civil offices: he must have the power to enforce the laws. The House of Commons was not intended to take part in the government, or to nominate those who were to conduct it, though it possessed the initiative in the imposition of taxes, and the right of impeaching those who might misuse the power entrusted to them by the King. The function of the Upper House was to hold the balance between these two powers. The absolute power which ruled the country was composed of the union of the royal prerogative, the judicial power of the Lords, and the legal privileges of the Commons [1].

The assumption in this argument is that the laws, by which the limits of each power within the constitution were defined, were old and well-known: as in earlier times the King, so now the Lower House was reproached with misunderstanding the laws and exceeding its powers.

This accusation could certainly not be controverted from

[1] England's absolute monarchie, or government of Great Britain. Thomas Bankes, 1642. He ascribes to the House of Commons the right 'of impeaching those who for their own ends, though countenanced by any surreptitiously gotten command of the King have violated that law, which he (the King) is bound . . . to protect, and to the protection of which they were bound to advise him.'

the point of view of the existing constitution. The chief efforts of the dominant party had been hitherto directed to forcing the King to assent to the bills submitted to him: he had quitted the capital in order to escape further pressure: their proceeding, in spite of his refusal, to give effect to their own views, and this in matters of the highest importance, was an open violation of the existing constitution and of the recognised mutual rights of the parties. They acted as though the King's consent was no longer necessary: Henry Martin once propounded the theory that as the opinion of all the Commons of the realm was implied in the vote of the Lower House, so the King's consent was included in the vote of the Lords[1]; that the Parliament of the realm was his great council, whose opinion he must follow; and that the old Norman formula of refusal ought to be abolished.

The zealous adherents of Parliament did not repel the charge of transgressing the laws: they accepted it. Their doctrine was—starting from Oliver St. John's language on the Bill of Attainder—that Parliament could not be bound by written laws, for that the legislative power in the fullest extent belonged to it, which meant merely equity applied by common consent to politics: that inferior tribunals were bound by written laws, but not the highest, which would cease to be such if bound[2]. This theory distinguished between fundamental laws and principles, recognising only the latter as conclusive.

The view which some years later John Milton sought to uphold, namely, that Parliament was not co-ordinate with the King, but superior, rested on the same basis. For, he argued, the King governs through the laws; the Parliament, even in the absence (as then) of any King's assent, makes and repeals them, so that Parliament is above all positive law. Thus a power, if not literally absolute, yet exalted above the law, such as the King claimed, was ascribed to Parliament.

[1] 'That the King's vote was included in the Lords' vote.'

[2] 'Touching the fundamental laws or politique constitution of this kingdom.' Pamphlet of Feb. 24, 1642/3. 'Whenever circumscribed by written laws, it ceaseth to be supreme. Its superlative and uncircumscribed power I intend only as relating to the universe and the affairs thereof, where it is to work by its fundamental principle, not by particular precepts or statutes.'

The Parliament still avoided expressing or sanctioning on its own part these ideas, which had been generated in theorising minds by its position and growing strength: it adhered above all to its practical demands.

These were once more laid before the King in definite form in the first half of June. They are the so-called nineteen propositions, a sort of programme of the condition into which it was sought to bring the nation. Three demands were therein specially put forward: one religious, for the change of the existing state of things in relation to church government and the liturgy, in conformity with a consultation to be held with learned theologians, and with the resolutions of Parliament: one political, that all nominations to high offices should require the approval of the two Houses, and that even the Privy Council should consist of only a fixed number of persons, all of whom must be approved by both Houses: finally one military, that the proposals in reference to the militia should be accepted, at least temporarily[1]. The King answered that were he to assent to these propositions, he should not be able to fulfil the duty incumbent upon him: they were the sort of conditions that are made with a prisoner.

While thus definitely refusing, he was already aware that he had by no means the unanimous opinion of Parliament opposed to him. We have already more than once mentioned the discussions within the House on the most important questions; the first on Strafford's attainder, the second about the attack on Episcopacy, and the preparation of the Remonstrance: but the majority had always persevered in the course once adopted. Now came the third and greatest division. In spite of the protests, to which several lords had resorted, the resolutions about the militia were passed, and the nineteen propositions laid before the King as the terms of Parliament. Seeing that thus the ancient constitution of the country was threatened at once in spiritual and in political matters, a number of Lords deemed it their duty, and had the courage, to separate from Parliament. At the sitting of

[1] Hallam ii: 'The nineteen propositions went to abrogate in spirit the whole existing constitution.'

May 30 the Upper House was informed that twelve Lords at once had been seen on the road to York, and then actually in that city. They were Monmouth, Northampton, Salisbury, Devonshire, Dover, Dunsmore, Andover, Capel, Rich, Grey, Lovelace, and Coventry. Soon followed men like Lord Hertford, who had taken a great part in the beginning of the movement. A certain vacillation was exhibited by some before they took the step, by others after it; but the majority were fully determined, and held to their purpose. The number was soon so great that it seemed less wonderful that they should be gone, than that the rest should stay behind at Westminster[1]. It was regarded as an event of great importance when Lord Littleton carried off to the King the Great Seal, in conformity with a promise made at the time of receiving it, a feat not accomplished without some stratagem and danger. A number of the Commons also repaired to the King, around whom was formed a company that professed to represent the State, and treated the acts of the Parliament at Westminster as lawless usurpations.

The Lords however did not join the King unconditionally. A mutual engagement was entered into, on the basis of maintaining the English constitution. The King promised the Lords to require from them no other obedience than was grounded on the laws, and to take under his protection every one who refused to obey the declarations and orders of the two Houses at Westminster. The Lords undertook to defend the King, his crown, dignity, and rightful privileges against every man, and to obey no orders not warranted by the laws: especially they pledged themselves to this in respect of military ordinances lacking the King's assent. Both parties bound themselves to support the true Protestant religion, as by law established, —thus excluding Presbyterianism,—the lawful liberties of the subjects, and the privileges both of the King and of Parliament. The King says 'the just privileges of the three estates of Parliament[2],' which included the restoration of the bishops to

[1] May's History of the Long Parliament, ch. iv. 175: 'In a very short space those lords became the greater number, and their departure began therefore to seem less strange than the constant sitting of the rest.'

[2] Parliamentary History xi. 208.

their parliamentary rights: the Lords say 'the just privileges of your Majesty and your two Houses of Parliament.' Twenty-five Lords signed the agreement on June 13, 1642.

These promises were given and these declarations exchanged by way of opposition to the demands contained in the nineteen propositions[1]. For a moment they flattered themselves that the weight added to the King's cause would incline the Parliament to more peaceful views: but the contrary happened, the feeling of hostility grew with the number of enemies.

The Parliament complained of the evil-minded persons about the King, called Cavaliers, who had no respect for the laws, and no fear of God or man: that in York nothing less was intended than the dissolution and overthrow of the government of the kingdom. In language of earnest apprehension it warned one and all to aid in averting this pressing danger according to the promise contained in the protest. The Lords at Westminster also, under the influence of a document that reached them, declared it necessary to provide for the safety of the King and the kingdom[2]. Thereupon, in complete contravention of the royal decrees, the militia in the city and neighbouring counties were put under arms, voluntary contributions were collected, and a loan made.

The associated Lords at York declared in reply that it appeared from the parliamentary papers which had reached them, that the sacred person of the King, religion, the liberty of the subject, Parliament and its rights, were all in danger[3]: in order to assist the King in their defence, they proclaimed a levy of cavalry, which all of them promised to raise, and to maintain in the field for a fixed time.

On June 17 the assembly at Westminster, on June 22 that at York, declared the country in danger, each through the other; and they proceeded to arm against each other.

[1] Journals of the House of Lords v. 92.

[2] 'They do find a disaffection in those persons about His Majesty, and therefore it concerned us to take care to provide for the safety of the King and the kingdom.' June 17. Journals ii. 629.

[3] See their declaration from a pamphlet of the time in Lady Theresa Lewis' Lives of Friends of the Chancellor Clarendon i. 119.

We see now how it came to such an extremity. It is obvious that this idea was eventually entertained through the Queen's influence, before her departure: but all still depended on whether an accommodation was possible in respect of the military power. The King was willing for the time to admit the participation of Parliament: but the latter claimed not only the recommendation of commanders for that occasion, but also that their removal should be made to depend exclusively on the vote of the House, and required the unconditional obedience of the country to its ordinances. This would have deprived the King for ever of the sword, and made the Parliament master in his stead [1]: the King would not go so far, nor would the majority of the nobility or of the gentry allow it. For they thought that the sword did not belong to Parliament, and that absolute executive authority was not its function: moreover resistance was contrary to the old doctrines of the established Church. The contest was not between absolute power and a democratic republic, though these ideas at times appeared in the background. The one party in fact desired Parliament not without the King, the other the King not without Parliament: but the one sought to maintain the autonomy of the throne and of the Church, and the estates of the realm as hitherto constituted, the other would shake the foundation of the Church, and subject the crown unconditionally to Parliament. On this question a dispute broke out within the legislative body itself: part broke loose from the rest, and joined the King.

As now both sides had formally decided to make preparations for war, the whole country immediately became involved in the hostility between them. In all the counties the Parliamentary ordinance and the full powers conferred by the King on his adherents (commission of array [2]) encountered one another, both couched in the same terms, both directed to the same end, yet diametrically opposed to each other in intention.

[1] The state of the difference between the King and the Houses of Parliament, for the direction of conscience.

[2] On the origin of this the History of the Rebellion, as originally composed, went into more detail than the later account printed in Clarendon's Life, vol. vi. p. 335; ed. 1849.

In the eastern counties the influence of the capital gained obedience for the ordinance; in the northern, through the influence of York, the commission gained the upper hand; but neither unopposed. In the midland counties the chiefs who had declared for the opposite sides contended together: in Lincoln, Willoughby of Parham and Lord Lindsay; in Leicester, the Earl of Stamford, who had been deputed by the Parliament, and the sheriff appointed by the King, Henry Hastings, son of the Earl of Huntingdon; in Northampton, the Brookes and the Comptons; in Berkshire, the Earl of Holland and Lord Lovelace; and others elsewhere. In Oxfordshire the Earl of Berkshire encountered Hampden, and was arrested by him. As in Derby the Royalists, so in Wiltshire the adherents of the Parliament under Lord Pembroke, preponderated. In Lancashire and Cheshire Lord Stanley mustered in three separate places bodies of 20,000 men, all armed with muskets and pikes, and ready for the King's service: but this powerful levy, besides awakening jealousy at court, aroused the opposition of the lesser magnates, led by some members of Parliament[1]. William Earl of Hertford, to whom the King had entrusted seven Welsh counties, and ten others bordering on them, made a great figure; but he was not undisputed master of them: in Gloucestershire Parliamentary opinions prevailed, and in Pembroke they were gaining ground.

The leaders of the Parliamentary majority however derived their main strength from their alliance with the capital. Here the Common Council, with the aid of Parliament, had completely thrown off the authority of the chief magistrate. He lost the right which he had hitherto enjoyed, of summoning and dismissing the council, as well as the initiative in its deliberations. His votes were swamped by the great number of the rest; the King's adherents were ejected: one of the Puritan leaders succeeded to the Royalist lord mayor. A committee was appointed to find means of defence, which controlled the city militia, and in which the Puritans had a

[1] 'The meaner sort thought it a fine thing to set up against the great ones.' Stanley's Report.

majority. In the city there were now no preachers except of this persuasion; all others had been removed or silenced. From the pulpits not merely religious but also political opinions were taught: those were counted as the most faithful who were most eager for war with the King, and contributed towards it[1]. Under these circumstances the proposal of the Lords to form a sufficient fund for the maintenance of the army, obtained full approval[2]: and their reasoning was also calculated to make an impression. They observed that the whole kingdom might serve as their security: if Parliament prevailed, every man's loan would certainly be returned with interest: otherwise not that only, but everything else they possessed would be endangered. The citizens vied with one another in bringing in their gold and silver. The preparations of the city were far in advance of those in the country.

Following the example of the Common Council, Parliament now appointed a committee of safety, as it was called, for the defence of Parliament and of the realm, and to repel all armed opposition. We find among its members Pym, Hampden, Martin, and Fiennes, as well as some more moderate men, such as Hollis and Stapleton: of the Lords there were Essex, Northumberland, Holland, and Say. From this committee proceeded the proposal, which was adopted by a resolution of July 12, that an army of 10,000 men should be raised, and the Earl of Essex placed at the head of it.

Essex and Holland had refused compliance with the King's orders to follow him and discharge the duties of their offices, and committed themselves fully to the Parliament, which in return took them up very warmly. When now Essex made up his mind to take command of the armed force that was being raised against the King, every one saw that he was thus offending beyond forgiveness, and staking his whole future on the issue: the Parliament in return pledged itself to live and die with him. His support was of indescribable importance to the progress of the cause. He was esteemed steadfast in his

[1] Butler. Letter from Mercurius, in Somers iv. 580.

[2] New propositions to the Lord Mayor, Aldermen, and Common Council. June 1642. Pamphlet.

opposition, and enjoyed the full confidence of the Presbyterians[1]. The memory of his father made him popular in the country: he himself had been at first courted, afterwards neglected by the government of the Stuarts, and seemed to have some claim against them. The ease with which the Parliamentary army was levied was ascribed to his name and zeal: he chose as his subordinates men conspicuous in the dominant party. Balfour served as lieutenant-general; among the colonels of foot we find Brooke, Mandeville, Hollis, Hampden: among the captains of horse Cromwell, Fiennes, and Haslerig. On the same principle on which the general chose the colonels and captains, they made up their regiments and companies, and clothed them in their colours[2]. The army thoroughly represented the ruling party, which held general control of the war, as yet without marked separation between the Presbyterians and the Independents.

Parliament took charge of the revenues, collected the customs, contracted loans, controlled the exchequer: it had already succeeded in getting into its hands the national fleet.

Algernon Percy, Earl of Northumberland, had at an earlier time been raised by the special favour of the King to the dignity of high admiral: he had however long detached himself from the policy of the court, both on principle and from dislike to the persons highest in influence there: in the military question he took the side of the Parliament. His vice-admiral, Pennington, had drawn on himself the ill-will of Parliament by aiding the flight of some of the accused ministers: it desired to displace him, and designated the Earl of Warwick as his successor. Northumberland, against the well-known feeling of the King, lent his aid to this. The King fell into a violent passion and pronounced the dismissal of Northumberland, who without a word laid down his office, saying that it would ill become him to seek to hold, against the King's will, a post which he owed to his extraordinary

[1] Giustiniani: 'Capo il piu accreditato fra li malcontenti e che con palese ostinatione ha impugnato sempre senza rispetto gli interessi reali.'

[2] Nugent's Memorials of Hampden ii. 200.

confidence. The effect of this obedience was however very disastrous for the King: the Parliament at once made Warwick admiral, with all the powers that Northumberland had enjoyed. The King might say what he pleased: with very slight difficulty the fleet passed under the supreme command of Warwick. It had cost the King immense pains to raise this fleet: he had quarrelled with his people about the means of maintaining it: and now without resistance it became subservient to the Presbyterian and Parliamentary interests.

We must not omit to notice that the leading men in this matter were connected by close ties of relationship. The great favourite of Queen Elizabeth was the father of the Earl of Essex: he had two sisters, of whom one was the mother of Northumberland, the other of Warwick. Among these the Earl of Warwick had undoubtedly the most resolution and the most active spirit: he was the man who had sustained Presbyterianism in England in the times of greatest oppression, and had chiefly promoted the religious emigration to America. In him the temper which broke down the ecclesiastical and royalist system of the Stuarts found its most lively expression: without being altogether correct in his morals, he stood at the head of the strict Presbyterians: he was enterprising, determined, irresistible. As Mandeville had been led by him to join the party, we may assume that he exercised decisive influence over his nearer kinsmen, who besides were so inclined already.

Their position is not without analogy to the political circumstances of the first Essex. He too desired to overthrow by popular assistance an administration of Spanish and anti-Protestant tendencies. Now it had come to pass that his son and nephew were at the head of the land and sea forces of England, in direct opposition to the King and his advisers.

If we consider the extent and the concentration of the Parliamentary strength, we shall almost wonder that the Royalists, ill organised, and deprived of the ordinary resources of the supreme power, should have ventured to take the field against it.

CHAPTER II.

THE CAMPAIGNS OF 1642 AND 1643.

QUEEN Henrietta Maria had a long and stormy passage from Dover to Helvoetsluys, in which one of her ships was lost: she never exhibited however any fear for herself when shipwreck and death seemed to be impending, but spoke only of God, and of the danger of her husband[1]. At the Hague she delivered over her daughter, not without ceremony, to the charge of Prince Frederick Henry of Orange, who received her with all the respect due to members of royal houses.

Her first object was, through the Prince's influence to induce the States-General to mediate in favour of her husband; but when his affairs at York took an unexpectedly favourable turn[2], she devoted all her attention to procuring him support. The fugitives who had escaped to the Netherlands, Percy, Jermyn, Windebank, Lord Finch, were in this very useful to her. Many of her jewels were sold: the Queen did not deny that they appeared to her more beautiful than ever, when taken out of their gold settings: she had to part with them for about half their value. Most of them served as security for the loan which she raised: luckily she had brought a full power from her husband for this purpose: at times even this did not suffice, and the Prince of Orange guaranteed payment. She actually succeeded in sending over some money, more than £8000, as she herself reckoned in July, which gave very much

[1] Letter of Montague from the Hague: 'Elle n'a jamais temoigné apprehension dans les preparatifs de la mort, que pour les affaires de Dieu et de son mari.'

[2] Zuanne Zon, segretario Veneto de Haya, 16 Giugno. 'La regina vedendo la piega di quelli affari favorevoli alquanto al re marito, non sollicita la mossa di quei ministri.'

A.D. 1642.

desired help; for it was not all the nobility and gentry who provided for themselves, and moreover the officers of the old army, who appeared at York as before in London, and were the very core of the Cavalier party, were urgently in want of pay. Soon afterwards followed military stores, bought in the Netherlands, saddles and harness for the cavalry, carbines, pistols, muskets, matchlocks, even cannon and the necessary ammunition. There is no doubt that from this source a military undertaking was first made possible to the King.

There has been much controversy as to which party actually began the war, the King or Parliament. Unquestionably Parliament took the lead in preparations—the militia preceded the array: the King however was the first to determine to draw the sword.

As Newcastle and the mouth of the Tyne were in the King's hands, it would have been an inestimable advantage to his position in the North, if he could have occupied Hull also. Towards this he directed his first movement about the end of July. The troops sought to secure both banks of the Humber, and threw up entrenchments: guns were brought up from the ships, with a view to a siege. Hotham was once more urged not to compel the King to seize by force on what was his by right[1]; but he, still helding to his original purpose, replied that he was bound to obey Parliament, the supreme court of the kingdom[2]. Parliament had already a force in readiness, which came to the aid of the besieged, under one Meldrum, a Scot, so that they were able to meet the attacks of the Royalists by successful sorties. Here the first blood of the war was shed: the King found himself compelled to abandon the undertaking, especially as Warwick was bringing relief to the town by sea.

The leaders at York had hoped to surprise some inland town also, especially Coventry, which owed special attachment to the house of Stuart, because the charter constituting it a

[1] The state of the whole kingdom 1642. According to this the King declared that he had as much right to Hull as any lord of a manor to his country house.

[2] The desires and propositions proposed to Sir John Hotham, with Sir John Hotham's answers. Letter of Mills, July 1642.

city, had been granted by James I. One of the chief men at the court, Spenser Compton, Earl of Northampton, who had once filled a municipal office there, declared that he could guarantee its fidelity. Accordingly the King sent word to the magistrates, in the familar style of old times, which he loved to assume, that he intended to come on an early day, August 19, and sup with them. Compton repaired to the city, in order to prepare for him a good reception. Meanwhile however Puritan opinions, sustained by zealous preachers like King and the learned Abbot, had gained the upper hand in Coventry. The ideas of Parliamentary independence found as much favour there as in Hull, Gloucester, and most other cities. Compton was received with hostile demonstrations; and the city refused admittance, not directly to the King, but to the armed men whom he brought with him: and when on the next day these prepared to open the gates by force, the inhabitants did not hesitate to repel force by force. Parliamentary troops very soon came up, and made any further attempt impossible.

While the King was thus failing in all his enterprises, those of the Parliament succeeded. Colonel Goring, who had raised the King's standard at Portsmouth, was immediately cut off from all communications both by land and by sea; and as he was also ill supplied with provisions, for Warwick had seized a corn-ship destined for him, he was without much trouble forced to surrender the place.

Thus the beginnings of the campaign presaged but little future good for the King.

Charles I had warned his partisans north of the Trent to assemble round the royal standard, which he should set up at Nottingham on August 22: for it was thought desirable to fix the seat of war in the county from which that declaration of entire devotion had proceeded. This was the signal, in England as well as in France, which in old times summoned the feudal vassals to personal service: it was raised chiefly when great dangers threatened the country, sometimes against the Welsh, sometimes against the Scots. And as in the civil wars of France a short time before, by far the larger part of the nobility had gathered to the banner of the legitimate

A.D. 1642.

King, so Charles I expected to assemble round his standard all those who thought the dignity of the crown endangered by the hostility of Parliament. As inscription it bore the words 'Render to Caesar the things that are Caesar's,' and this exactly symbolised the military authority of the King, the validity of which was now called in question. The King hastened back from Coventry in order to be present on the day: on the afternoon of August 22 the standard was brought with great ceremony out of the castle of Nottingham into the open field. When the King and the lords and gentry of his suite had taken their places—there were several squadrons of horse and two or three hundred men on foot—a proclamation was read, in which all faithful subjects were required to lend aid to the King against the rebellion of the Earl of Essex. The King had at the very last moment made alterations in the language of the proclamation, so that the herald had difficulty in reading it. The standard was brought back into the castle in the evening: next day the ceremony was repeated in the presence of the King [1], and twice more without him. No great and immediate result could be expected on the spot.

The Parliamentary army gathered in threatening proximity. The Earl of Essex appeared in the field on September 9, and advanced to Northampton, with an army of twenty regiments of infantry and seventy-five squadrons of cavalry, which were not all of the full complement, but still numbered from 12,000 to 14,000 men. The formation of this army and its advance secured the Parliamentary interest in all the neighbouring counties. The King, who had only 500 horse and a couple of weak regiments of foot with him, could not possibly await its approach: he gave up entirely his first plan of holding Nottingham, as well as of conquering Coventry and Hull. Some time before he had been urged to take up his quarters in the north-western provinces. Warrington in Lancashire had once been suggested as a place where his adherents might

[1] Giustiniani mentions, under date of August 22, that the standard had been set up the week before. This is not actually false, as it was at first displayed from the castle, which the King did not approve. The error of Clarendon, who gives August 25, may arise from the various repetitions. The 22nd is beyond a doubt the true date. Cp. 'True and exact Relation' in Somers Tracts iv.

easily assemble from all sides: the Stanleys[1] thought it was mere jealousy of their superior power, which had prevented this being agreed to. Now however a similar project was adopted. Royalist opinions were especially prevalent in Worcester, Hereford and Shropshire. The King, retiring before Essex, went direct to Shrewsbury, whither the old Lord Mayor after some hesitation invited him.

Here once more his cause found unexpected sympathy. It was shown that the feelings of personal devotion and loyalty, which had bound the vassals to their princes in earlier centuries, was not yet extinct in England. The elevation of the royal standard cannot be regarded as barren of results when, even among those who had hitherto sided with the Parliament, men were found who could not bear to stay at home when the royal standard was displayed in the field[2]. Some joined the King because they had always heard from their ancestors that they must ever hold to the crown: others thought it unfair to abandon in his distress the prince whose bread they had eaten. Some too appeared in the field who did not unconditionally share the King's sentiments; but the attitude of Parliament was still more offensive to them, and as it would have been counted as cowardice not to take part in the war when all the world was rushing to arms, they joined the King. To the majority his cause appeared by far the better, now that he had conceded so much and all to no purpose. Many a young lawyer threw away his long robe in order to fight for the good cause. Some regarded it as holy, and thought that whoever lost his life in defending it might be deemed a martyr.

Through the influence of these sentiments an army assembled in Shropshire around the King, which according to the notion of that age was worthy of the name—2000 cavalry, 1500 dragoons, and 6000 foot soldiers: and new reinforcements were expected daily. A great assistance was

[1] 'Memoirs containing a genealogical and historical account of the house of Stanley' (Manchester, 1767) contain an abstract of the memoranda of James Lord Stanley, which enlarge on these matters, not without some self-sufficiency.

[2] Letter of Bevill Grenville, in Nugent ii. 195.

A.D. 1642.

promised by the munitions of war collected at Chester, which had originally been destined for Ireland, but now fell into the King's hands. More money came in than was expected, and the soldiery were well paid. Some commanders of great military merit joined the King, such as Jacob Astley, reputed one of the best major-generals in Europe; and Ruthven of Ettrick, who had learned the art of war in Germany, and had won new renown by his defence of Edinburgh against the Scots,—a man of fire and devotion, and a thorough soldier. Prince Rupert of the Palatinate, true to his word, had already made his appearance at Nottingham by his uncle's side, as soon as the war broke out, for which he had offered his aid: he had come over with the Queen's assistance, together with his brother Edward. He brought with him several specimens of military apparatus, in order to introduce into England, where they were as yet unknown, the improvements in war material which had been made in Germany. Especially he trained the cavalry in the tactics then adopted in Germany. He made many a daring raid through the country in order to encourage the royalists, harry the rebels, seize their stores and divert them to the King's service. His troopers learned the art of war by practising it.

The first successful feat of arms fell to Rupert's lot. He had occupied Worcester, but abandoned it again as untenable. His horsemen and officers were bivouacking near the place, and many had dismounted and were taking their ease on the grass, when the van of the hostile army was seen approaching. In a moment they had resumed their arms and mounted their horses; and with a sudden impetuous onset the squadrons of Rupert, who was himself surrounded by the boldest officers, charged the Parliamentary horse and instantly broke them [1]—a success of no trifling importance, as it gave the King's troops confidence in themselves and in their leaders.

The King, who thus enjoyed the scarcely expected pleasure of seeing his enemies prisoners before him, now felt that he might

[1] Giustiniani: 'Ambiduc li palatini (Maurice also was present) Roberto in particulare hanno con spavento degli inimici dato nuove prove di valore, et acquistatosi col grido universale gli applausi di tutti quelli che bramano favorevoli successi all' arme reali.'

venture to advance towards the capital. It is scarcely credible that they should have confidently expected to be in London within a short time. We even catch the voices of some who believed it without wishing it: they were again afraid of the unrestrained domination of the men who had now most influence with the King. The latter expected to be obliged to fight on the way, but did not doubt that he should win the victory, and find it all the easier to conquer London, where his partisans would rise in his favour.

Essex in fact could not let the King advance on London, where continued preparations were going on, but where things were not yet in a condition to withstand an attack: the King too could not venture, while Essex followed him, to advance so far as to place himself between two hostile armies. When he reached Edgcot on the borders of Warwickshire, he adopted the advice of the Prince, who now commanded the rear, on which most depended, that he should take up a strong position opposite the Parliamentary army, and attack it before it grew too strong.

On Sunday October 23, the King for the first time saw from the height of Edgehill his enemies drawn up before him in full order of battle. It was not till the afternoon that the two armies came within range. How the people assembled for worship in the neighbouring parishes must have trembled when they heard the thunder of cannon from those heights!

In English warfare the different arms were not yet so well combined in action as in Germany. First the cavalry measured their strength. The Parliamentarians fired their carbines and pistols at a badly judged distance, and at this moment were charged by the Royalists, who put them to flight at the first shock. It was not a fight, says one report, but a massacre, and then a headlong pursuit in which the victors could not be controlled by their officers: among other booty,—for they were above all things eager for booty and intent on it,—the carriage of the Earl of Essex fell into their hands.

But while the Royal cavalry were thus engaged, the Parliamentary infantry had gained the upper hand. The regiments raised in London under Essex and Hollis fought

A.D. 1642.

splendidly: they consisted mainly of young men who had taken part in the tumults in the city, and had since been drilled by German corporals and had learned to shoot[1]. These troops, with the horsemen, of whom several troops had stood their ground, now endangered the King himself: the forces around him gave way or suffered very severe loss. Lord Lindsay, who held the rank of Commander-in-chief, but through the influence of Prince Rupert had been deprived of his proper command, led his regiment forward, pike in hand, and was mortally wounded. In the struggle the great standard fell once into the enemy's hand, but was rescued again: the bullets rained in the immediate neighbourhood of the King. Charles I did not give way to fear: in the midst of the firing he was heard to call out the watchword of the day, 'For God and the King': his position however was one of great danger, when at last the cavalry returned from the pursuit, and restored the balance of arms[2].

Next day both armies remained a mile apart without engaging. The victory remained undecided, but this gave the Royalists, who were the weaker, great confidence. Prince Rupert is said to have proposed to press on with his cavalry to Westminster and disperse the Parliament. The rejection of the scheme is ascribed to Lord Bristol. Essex retreated to Northampton and thence to London. The King occupied Banbury, and then moved to Oxford, where he was received with triumph.

Soon afterwards we find him again in the field, to make the attempt on London once before decided on. On November 4 he was at Reading, on the 10th at Colebrook: he contented himself with disarming the inhabitants who were hostile to him, without doing them any other injury, so far as it depended on him: for he held that he was their lawful King and they his subjects. On the other side also this feeling had again spread: even among the troops doubts had been

[1] Sanderson's Life of Charles I, 585. 'They stood the brunt of the battle; most of their men being London prentices, fresh and good firers, did bold service.'

[2] Relation of Edgehill fight, in Carte's Letters i. 9. Another Royalist account in Spalding ii. 200. Account of the battle as published by order of the Parliament. Rushworth v. 35.

raised whether they could rightfully fight against the King. This opinion was however neither widely enough spread to take much effect, nor strong enough to make way against other contrary influences. We are informed that the attack made by Rupert on Brentford, at a time when it was thought that a cessation of hostilities might be looked for, did serious injury to his cause. The London regiments lay there, and were fearfully handled by the Welsh in the royal army, who had their failure at Edgehill to atone for[1], and this rekindled the popular hatred against the Cavaliers. Fabulous tales were told of the cruelty of Prince Rupert and his followers, which filled men's minds with horror. Parliament declared the attack to be one of those acts of treachery which were to be expected of the King. Thus it was decided to offer the most strenuous resistance to him. The Parliamentary army, reinforced by the militia, assembled on Turnham Green in battle array: Essex went from regiment to regiment, and was greeted with military familiarity as 'Old Robin': the short addresses of Skippon to his men made an equally good impression. Their superiority was so decided that the King, with the handful of troops left to him, might think himself lucky to get back to Oxford without disaster.

The Parliamentary government by its demands for aid had at this time certainly aroused considerable opposition in the capital. We are assured that at one time seventy merchants were in prison for refusing to contribute their means for arms to be used against the King. In great assemblies of the citizens Royalist principles were eloquently expressed, and received with approbation. This could not however have any practical effect, so long as in the Common Council the opinions before adopted maintained the preponderance. There John Pym well knew how to stop all opposition by his usual persuasive eloquence; and the assembly swore afresh to live and die with Parliament.

The Parliament however could not prevent every sort of

[1] Giustiniani: 'Professandosi del sangue e delle fortune di Vasalli suoi, ancorchè contumaci, estremamente avaro, clemenza che fratante virtu è la piu predicata di S. M.'

A.D. 1643.

negotiation: in February 1643 it again made proposals to the King. These not only repeat the contents of the nineteen propositions in respect to the militia; but also in relation to religion, in conformity with a resolution passed in the interval, demand in express terms that the King should sanction the abolition of the old church organisation from archbishops down to sacristans, and assent to the bill for a new church government to be agreed on between the two Houses and an assembly of divines. When these proposals were laid before the King at Oxford in the garden of Christ Church, he remarked that those who made them were not in earnest in seeking peace. There is a tradition widely spread and often repeated, that in the personal negotiations which ensued the King professed himself ready to give way on one material point, but that next day, under the influence of his immediate attendants, he made a contrary declaration[1]. We can scarcely believe however that this decided the question. Between the views of Parliament and the King's claims there was a contradiction so thorough, that no effectual approximation from which an end to the quarrel might be expected could be imagined. More was now asked of the King than before the war: through it he had attained a far better position, and had no reason for yielding: he might hope in a new campaign to win a still more favourable position.

The Queen was already come back to England to take part in the war. The results of the events in England had necessarily been felt in the Netherlands also. A commissioner from the Parliament went over, and complained bitterly of the support which Charles I found in the Netherlands: and his representations were by no means slighted by the Estates of Holland, the strongest of the United Provinces. That Province declared that it desired no breach with the Parliament, but the maintenance of neutrality, a necessary condition of which was the supplying neither of the contending parties with munitions of war. The States-General also listened to the complaints. The commissioner recalled the great interests of religion and liberty common to the two

[1] Whitelocke's Memorials 65.

countries, and the support which the republic had formerly received from England. The Queen's friends replied that the republic of the Netherlands owed its independence not to the English Parliament but rather to the English Crown, to Queen Elizabeth and King James I, the predecessors of her husband, adding the remark that it might some day be dangerous for them if a Parliament alone ruled in England[1]. No one in the States-General ventured to dispute the principles on which the English Parliament and the republic of Holland alike rested, but it was not deemed advisable to be very earnest in their cause. Vessels laden with arms, which had been detained, were again set free: English soldiers who wished to go to the King were allowed to depart, not indeed in companies, but singly. As at the first moment, so now again, the Queen found it in her power to strengthen the forces of her husband. She had not been deceived in the Prince of Orange, who assisted her at least underhand, for he saw his own advantage in the maintenance of the Stuart dynasty. How her heart swelled when events had taken such a turn that she might hope, as she said, in spite of traitors to return to England and rejoin her husband. That she had contributed somewhat to this result satisfied her self-love: it was her pride and good fortune, especially as her husband recognised it. She reminded him incessantly in her letters of his promise to conclude no treaty without having taken her advice upon it. If he gave up the control of the militia to Parliament only for a single year, as she heard that he was inclined to do, he would render both himself and her miserable, there would be nothing left to her but to retire into a convent. If only she instead of her son had been with Hotham on the walls of Hull, she would have seized the traitor and thrown him over the walls, or he should have done the like to her. The tidings of a treaty containing concessions, which was under negotiation, so excited her

[1] Dispaccio di Zuanne Zon segretario all' Haya. October 29, 1642. (Arch. Veneto, Olanda) 'che s'avessero questi Signori confinanti l'Inghilterra dominata dal parlamento, come havean havuto il re, potria avvenire che in breve spatio se ne chiamasse L'Hollanda pentita. Queste ultime voci commossero grandemente e accrebbero qualche scintilla di generosita gia penetrata nell' animi del governo.'

A.D. 1643.
that she burned the letter in which the news was conveyed: she should like, she said, a reconciliation, but only an honourable one. Towards the end of the year she had again collected a supply of military stores, which she now resolved to convey in person to the King. After many hindrances, and being more than once driven back by wind and weather, she landed at last on February 22 at Burlington, in the East Riding of Yorkshire. But what a welcome did she receive in England! A couple of English ships arrived immediately after her, and their crews did not hesitate to fire on the house in which their Queen had taken up her abode. The balls broke the windows of her bedchamber, and flew about her bed. Amidst the whistling of the shot she quitted the house and the village, and fled to shelter in the open field with the ladies of her suite: the men stayed behind to take charge of the vessel in which were the military stores; had it been necessary she would have placed herself at their head. It did not however come to this, as the ebbing tide compelled the ships to quit the bay. Attended by a long train of cannon, mortars, and powder waggons, the chivalrous Queen entered York, where she was received in triumph.

That she had escaped so many dangers by land and sea gave her infinite confidence in herself and her cause: had it not been tempting God, she would have gone up to a cannon's mouth. In the very first letter after her landing she urged her husband to come to no resolution until he had heard further news from her. Writing from York in March, she declared that if he made peace and disbanded his army, without having made an end of the everlasting Parliament, she should be obliged again to quit England, for she would never fall into the hands of those men. Some had expected that she would come with the olive branch and attempt to mediate between the King and Parliament: on the contrary, she exerted all her influence to urge the King to unyielding adherence to his prerogative. Her arrival made a more active plan of operations possible.

The original idea of Charles I had been to open the campaign by a new advance on London. On the other hand the Earl of Essex, at the head of the Parliamentary army,

formed the plan of attacking the King at Oxford. The first contest must therefore be for Reading, which was as important for one scheme as for the other. Here Essex obtained the advantage; on the twelfth day of the siege he took Reading[1] and fixed his head-quarters there: but when he advanced nearer to Oxford, Prince Rupert proved to be stronger.

In one of the skirmishes of that period, on Chalgrove field, John Hampden was seen to ride to the rear wounded, for the first time in any such encounter, for he was as resolute in the field as in parliamentary and political warfare: a few days later he died, with a presentiment, as it appears, of the dangers impending over the country. The royal troops obtained a decisive advantage over William Waller, who had penetrated into the West, and thence moved towards Oxford: he was surprised by the unexpected approach of the royal cavalry, and when he turned to face them at Roundway Down, was completely defeated. The horsemen of Waller and Haslerig, who looked like moving fortresses, gave way before the lighter horse of the Royalists. In the midland counties also the King's party had attained a certain strength: the family of Hastings had gained the upper hand in Leicestershire, the Cavendishes in Lincolnshire. The inroads of Prince Rupert kept Essex employed. Under these circumstances there was no longer any difficulty in the Queen's rejoining her husband. She met him on the field of Edgehill (13 July, 1643), bringing three thousand infantry, thirty squadrons of cavalry, some artillery, and ammunition in plenty in a long train of waggons. She was received in Oxford with endless rejoicings, the more so as the news of Waller's defeat arrived at the same time. With the Queen all good luck and success seemed to return.

In the same month (July 26) Bristol was taken. At an earlier period Royalist tendencies had shown themselves among the magistrates, but had been repressed: now, when

[1] Whether Fielding, who surrendered the town, was guilty of treachery or not, I cannot pretend to determine. The Venetian secretary deems him guilty, Clarendon acquits him.

A.D. 1643.
the outworks were taken, the garrison despaired of maintaining its ground, and surrendered the place. It was the second city in the country for wealth and population, and full of arms which had been intended for the Irish war. Most of the ships, lying in King's Road, declared for the King; and this gave scope for the idea of forming a fleet for him, which should command the coasts of Wales and England, and open a communication with Ireland. The hope now was to take Gloucester, and thus become master of the Severn, and so of the inland traffic.

This change of fortune produced various favourable consequences. Hotham, who had been almost the first to rebel openly, now proposed to surrender to the King the fortress, which he had twice defended against other Royalist attacks: he said that he had hardly slept a night without his sword by his side. Lord Digby, who had fallen into his power on his return from Holland, seems to have converted him; and differences which he had with Fairfax and Cromwell strengthened his resolve. In the town however Parliamentarian opinions had through his own influence obtained undisputed predominance; and on the first suspicion an attempt was made to secure his person. He was seized while trying to escape, and his son, already a renowned captain, who had a share in all his affairs, was taken in the town.

More fortunate was Hugh Cholmely, a distinguished member of Parliament, at that time Governor of Scarborough. He took over to the Royalists a body of three hundred men. The fortress remained for the time in the hands of a Parliamentary captain, but he also soon went over, and surrendered the place to the King[1].

In London itself traces were discovered, or at least there was a talk, of a plot to bring royal troops into the city and cause a rising of the King's adherents: a commission of array had been introduced with great secrecy into the city, and inquiries had been made privately in the different parishes, to find out who and how many could be reckoned on. The intention then was, it seems, to bring about a coalition of

[1] May's History of the Long Parliament 305.

the Royalists and the friends of peace[1]. Edmund Waller, a member of the Lower House, who gave the name to this conspiracy, and in fact had a great share in it, escaped, on making a full confession, with fine and imprisonment. Tomkyns his brother-in-law, and Challoner, who seem to have been more deeply implicated, forfeited their lives. Their guilt however was not so clear but that the people regarded their execution as a violent act of party justice[2].

The Parliament, finding that there were so many in the city who were calculated on for a conspiracy in favour of the King, adopted new precautions. We must, said Pym, unite the good more closely, and have a means of separating them from the bad. He proposed an oath, in which the cause of religion was again identified with that of Parliament, and the King's army was directly stigmatised as Popish. Every man was to declare that he was convinced in his conscience that the forces raised by Parliament were engaged in the defence of a just cause, of the true Protestant religion, and of the liberty of the subject, and to promise that he would support and defend all others who had sworn the oath, in everything they might do with this object[3]. The two Houses agreed that this oath should be administered in the army and among the people. While the King was rising in strength and his party growing powerful, it seemed necessary to consolidate afresh the Parliamentary faction.

But what a prospect was this for the nation: how long was it to fight and ruin itself?

A very singular idea occurred to the Earl of Essex, General of the Parliamentary army, who felt a sympathy with the people greater than corresponded to his party position. The King, he thought, might go away for a while,

[1] Challoner's words just before his execution leave no doubt of this purpose: 'That if we could make a moderate party here in London, to stand betwixt and in the gap to unite the King and the Parliament, it would be a very acceptable work.' Waller says: 'For the propositions of letting in part of the King's army, or offering violence to the members of this house, I ever disallowed or utterly rejected them.' Parl. Hist. xii. 322.

[2] Agostino, 24 Giul.: 'Non havea prodotto buon effetto la morte dei primi nel universal del popolo.'

[3] Journal of Commons, June 6, 1643.

A.D. 1643.

then the two armies might advance to meet one another at a place to be agreed on beforehand; and they might once more try to conclude peace, and if that proved impossible, decide the controversy with the sword. For the quarrel was altogether within the nation, the two sides having different ideas of the English constitution: and a battle would be like the judgment of God between them[1].

In August 1643 it is plain that even in Parliament the two parties were very nearly equal in strength. The Lords accepted a scheme by which the armies were to be disbanded, the two great questions of religion and the militia settled in parliamentary fashion, and the members who had been excluded from either House for their Royalist sentiments or for desertion were to be restored. This last point warranted a hope that the great disputed questions themselves might still be settled in a way not altogether hostile to the crown. Even the King's suite saw in it a step towards a return to grounds of recognised legality. The Lords invited the concurrence of the Commons: on August 5, a Saturday, the question was debated whether these proposals should be taken into consideration; and even here the desire for peace was so keen, that it was decided in the affirmative by a considerable majority; and by a very narrow majority in a thinner house it was further agreed that it should be done immediately. One article of the scheme was at once agreed to, and then further deliberation was adjourned till the Monday. Had the counsels of Parliament been guided entirely by the free votes of its members, it is probable that those who were called the violent party would have suffered a defeat[2].

But their confederates were still entirely masters of the city. The idea had before been suggested of collecting a second army in opposition to Essex, and placing William Waller at its head, to carry on the war more energetically than hitherto. The Lords' proposals redoubled the agitation

[1] 'Both armies may be drawn near the one to the other, that if peace is not concluded, it may be ended with the sword.' Brixhill, July 9, 1643, in Rushworth vi.

[2] 'On the first division the Yeas were 94, the Noes 68; on the second the Yeas were 70, the Noes 68.' Journals iii. 167.

in men's minds. A petition was signed to the effect that they were destructive to religion, law, and freedom, and only calculated to cool the ardour of those who would otherwise have been ready to aid with their persons and their substance. On Sunday the old zeal was rekindled by fiery sermons. On Monday, as often in decisive moments, crowded masses of people appeared before Parliament to declare their wish for war. The unpopular names were greeted with threatening outcry. Amid this tumult the resolution passed on Saturday was again discussed. The question whether to take into consideration the proposals of the Lords was put afresh; the first division gave a majority of two votes for so doing: but meanwhile other members had come in, a new division was taken, and the motion was now rejected by a majority of seven. The concurrence of the Commons, for which the Lords had asked, was not merely refused, but the Lords were invited to join with the Commons in measures of defence[1].

The Lords felt mortified and injured. They declared the assemblage of mobs in the vicinity of the two Houses to be a breach of the privileges of Parliament. Northumberland and Holland, who now themselves desired a compromise and peace, repaired to head-quarters in order to induce Essex to move his troops nearer to the capital, to keep the mob in check, and re-establish the freedom of parliamentary debate. Essex inclined rather to the side of the Lords, having been offended by the resolutions in the city in favour of Waller: but this circumstance furnished the other party with the means of winning him back. When Pym and some other leading members paid him a visit, to assure him that Waller should remain dependent on him, Essex once again, as hitherto, chose to give way to the majority: Pym and his friends maintained the superiority, but, as one sees, with great difficulty.

Meanwhile Charles I had directed his arms against Gloucester. The great importance of this town for the pacification, in a Royalist sense, of the entire west of England, may be inferred from the King's having determined to besiege it

[1] D'Ewes, in Sanford 576.

A.D. 1643.

on hearing that Massey the governor, who had served under one of the Royalist generals, was inclined to change sides, in defiance of the advice of most of his counsellors, and especially of the Queen, who would best have liked a direct attack on London. The King must soon have become conscious that he had deceived himself: in reply to his summons he received the correct answer from the Parliamentary point of view, that he would be obeyed when his commands were conveyed through the two Houses of Parliament. The two delegates who brought this message spoke in a rude and curt tone, and when they left, within a few paces of the King put on their caps, which bore orange cockades, the colours of Essex[1]. Bad as the fortifications of Gloucester were, the citizens made a good stand behind them. The Londoners had never taken so much interest in the fate of any other city: some closed their shops until the news of its relief should arrive. The troops which Essex led forth on this errand were far too numerous and too full of warlike zeal for the King to resist: they repelled partial attacks without difficulty, and on September 8 Essex entered Gloucester.

It was generally assumed at the time that if the King, instead of staying before Gloucester, had marched directly on his divided capital, he would have made himself master of it. I do not think however that this is at all certain: London had been fortified on all sides; the ruling party in Parliament, the magistrates, the Common Council, were most closely leagued together. At least the King must first have come to an understanding with Essex, or else the expectations of the Royalists would probably have been disappointed in London also.

By Rupert's advice the King threw himself in the way of the returning army at Newbury, in order to prevent a junction between it and the forces which had meanwhile been collected by Waller. The Prince's cavalry gave fresh proof of their surpassing courage in repeated and at length successful attacks on the enemy's horse, who however on this

[1] Journal of the Siege of Gloucester, in Warburton ii. 281.

occasion fought better than before: but their onset was completely broken on the rampart of pikes of the Parliamentary infantry; and this time Essex and Skippon had placed their artillery with great skill at the points where it would be most effective. The battle consisted of a series of assaults upon an enemy arrested on his march, who had taken up a strong position and was prepared to defend it. The next day Essex expected to be obliged to cut his way through the Royalist army, but it had retired during the night: he was able to advance unopposed over the battle-field [1], and continued his march to London. The day cost the King some of his best men, such as Lord Falkland, probably the only one of his contemporaries in whose praise both parties concurred.

Essex had relieved a town and defeated an attack on his army, but he had not yet established the superiority of the Parliamentary party. Exulting in having refuted every slander which ignorant persons had uttered against him, and probably hoping that this was done once for all (a hope which is never fulfilled), Essex, in spite of the advantages which had been gained, declared in the Common Council that, in his opinion, peace was necessary.

The war had now lasted in England for a year and a half. The capital still held firmly to the principles of parliamentary right which it had once adopted, but, as the General observed, the war could not be continued without the possession of a river of gold. It found its best support in an association formed in Essex, Norfolk, Suffolk, and Cambridgeshire for common defence, under such leaders as Parliament should appoint: but even here the entire and anxious care of the Parliamentary party was devoted to preventing the gentry from taking part with the King. Meanwhile a counter association in the North, which in fact was the earliest of all, between the counties of Northumberland, Cumberland, and

[1] Detailed narrative from the Parliamentary side, in May's Hist. of the Long Parliament 347: the report in Rushworth v. 293 is based on this: Clarendon's account agrees with it on the whole very well. Agostini: 'Fra le dispute resta inviluppata la vittoria che è stata solennizata con fuochi in Oxford, e con ringraziamento nelle chiese qui.'

A.D. 1643.
Westmoreland, had been formed under the Earl of Newcastle in favour of the King: a similar one was even then being arranged between Cornwall and Devonshire, which rejected all commands issued without the personal participation of the King. In the former region, the important city of York, where the Royalist resistance had originated, had been confirmed in its attitude by Newcastle's victories: in the latter, Prince Maurice of the Palatinate had just taken the strong town of Exeter. In Dorset the Parliament had only a couple of fishing villages left; in Somerset and Wilts not a foot of land; in Hampshire all the people were on the King's side. In the midland counties, Nottingham and Lincoln, from which the King had been obliged to retire a year earlier, his superiority was indisputable: in Northampton his party was at least equal in strength to that of the Parliament; Bedford was occupied by Prince Rupert in October. There was a plan for a rising of the King's adherents in Kent, where they had hitherto been with difficulty kept down; and this it was hoped would have an effect on London.

In addition to these advantages peace had been restored in Ireland. In May 1642 a synod assembled at Kilkenny had given the country an independent organisation: a council of twenty-four members, in which the four archbishops sat, was appointed to direct public affairs. This council entered into communication with Pope Urban VIII, who was greatly pleased that the land of saints should be purged of heretics. Through the dissensions that had broken out between the King and the Parliament, the English forces could achieve nothing in Ireland; it was expected that in a short time all the surviving Protestants would be at the mercy, or the unmercifulness, of the Irish rebels. Moreover the principles of the Parliament at Westminster were by no means entirely dominant among the Protestants in Ireland: on the contrary the King had still power enough to remove from their offices men who professed such opinions, and to replace them with his own adherents. A moderate middle party was formed, in which the Earl of Ormond was the chief personage. Between these however and the united Catholics there was no irreconcileable breach, as the Catholics continued to treat

the King as their sovereign lord, whose prerogative they were ready to defend against all the world. Thus it became possible in September 1643 for a truce to be agreed on between the two parties. The Catholics granted the King a subsidy of £30,000.

A great prospect was opened besides by the death of Cardinal Richelieu, and soon afterwards of Louis XIII. The Cardinal towards the end of his life had again begun to exhibit some sympathy for Queen Henrietta; but she might expect much more now that her old friend, Queen Anne, was Regent of France. The party which immediately rose to power was the one to which the Queen herself had belonged. Moreover Charles I expected arms, money, and even men from the King of Denmark [1].

It was in fact doubtful whether Parliament would not be obliged to yield to a combination of so many hostile forces: it had already, feeling this, renewed its dealings with the Scottish Covenanters.

[1] Instructions to Colonel Cochran. Harleian Misc. vii. 532.

CHAPTER III.

FRESH INTERFERENCE OF THE SCOTS. CAMPAIGN OF 1644.

WE must again turn our attention to the affairs of Scotland, and the internal struggles there. In the autumn of 1641 the King had made his comprehensive concessions to the Scots, in order to obtain their neutrality in his contest with the English Parliament. He thought he had personally made sure of the leading Covenanters, whom his concessions chiefly benefited. They had promised to live and die for him, in matters of temporal authority, and not to interfere in ecclesiastical disputes, in spite of their sympathies in favour of uniformity, except when he himself desired it[1]. For as he attributed his previous misfortunes to the alliance of the Scots and the English, he calculated on being strong enough, by satisfying the former, to resist the latter. Hence came his unyielding demeanour at the end of the year 1641, his departure from the capital, whereby he thought to secure a retreat into Scotland in case of necessity, and even the resolution to take up arms. Hamilton, who had been restored to favour, and for a long time had occupied his seat in the English Upper House, was one of the lords who assembled round the King at York, and strengthened him in his

[1] So writes the King to Loudon (Burnet 190): 'You expressed your readiness to hazard both life and fortune for the maintenance of our temporal power, and even in matters ecclesiastick, though you wished uniformity therein betwixt the two nations, yet you would not interest you in these differences further than should be with our knowledge and good liking.' Words which more nearly determine the sense of the communication to Sabran.

unconciliatory attitude. He then hastened into Scotland to exert his newly recovered influence there for the maintenance of a good understanding with the King. He was never weary of reminding men like Argyle and Loudon that they themselves and the Scots in general were pledged to the King, that he had fallen into all his difficulties through them, and that it would redound to their everlasting honour if they rescued him from them. It appears that their representations were not altogether fruitless. The two other leaders at least assented to his wish that the Queen should come to Scotland. The Privy Council, which conducted the government there, had been for a long time more favourable to the King than to the Parliament.

Had the Scottish aristocracy, like the English, sided *en masse* with the King, the monarchy would have been established throughout Great Britain on the old basis.

But the religious difficulty had made this impossible: for the difference between the English and Scottish nobility lay in the fact that the latter had abolished Episcopacy, while the former wished to maintain it, at least in England. Some Scots, for instance the Hamiltons, would have agreed to this, but by no means all. The Presbyterian clergy, on the contrary, were of the opinion, and expressed it with public authority in the General Assembly, that Episcopacy must be rooted out in England also, if the work of God was to be finished. Moreover the ruling grandees were afraid that the King would revoke all his concessions, as soon as he again obtained power[1]; they feared in that case to see their enemies exalted, for the old schism of the nobility was still in full operation. Argyle's party could not go on long with the Hamiltons, when these drew together again.

It is intelligible that in this condition of the public mind every event in England should react on Scotland. The first encounter of the two parties took place at a sitting of the Privy Council in December 1642. The question was, whether

[1] Hamilton observes in his instruction: 'The apprehension they have of H. M. not observing what he hath already granted, if he shall be in a condition to force them.' Burnet 196.

of two opposing declarations made by the King and the English Parliament, which had been communicated together at the sitting, only the first, that of the King, or both alike should be printed. Hamilton and Lanerick observed that they owed duty to the King, but none to Parliament, and that the question was whether they would obey him or not. Argyle and Balmerino would not hear of commands and obedience in this tone, which would be reverting to the state of things in the old episcopal times. At this moment the Hamilton party was still the stronger: eleven members against nine determined that the King's declaration should be printed, and not that of the Parliament [1].

In the state of parties this resolution of course created a great sensation. It implied a leaning towards the King's cause on the part of the Scottish government, which was highly offensive to the earnest Covenanters. It was a trumpet-blast, says Baillie, which awoke us all.

The gentry of Fife, the most zealously Presbyterian association among the laity, flocked up to urge a repeal of the resolution; and similar petitions poured in from other counties, which were supported by many of the presbyteries. In pursuance of an act of Parliament, a new committee, called conservators of the peace, had just then been called into existence, and most of its members were Covenanters: in concert with them and the church commission, the Privy Council was obliged to declare that its publication of the King's declaration implied no agreement with it: and the Parliamentary declaration had now to be printed also.

The matter was not ended yet: the fear gained ground that this resolution was only the first step to a greater scheme; that it would be proposed to arm for the King; that all the violent Royalists, the old Bonders, would be called upon to destroy the good patriots, their opponents [2].

The zealous Presbyterians spoke in a tone from which the

[1] Burnet 205, from a letter written to Loudon.

[2] Baillie to Spang. 'We feared that the first action of any such armie might have been the knocking down our best patriots, who latelie had most opposed the malcontents.' Letters ii. 58.

King's friends gathered that they would probably side with the Parliament against the King. To counteract this the Hamiltons put in circulation a petition in which they expressed their strong desire for ecclesiastical uniformity with England, but with the double limitation, first that they had no right to force on a neighbouring kingdom any forms of worship, on which only the legal authority could decide, and next that the league with England did not set the Scots free from the duty which bound them to their hereditary king[1]. Instead of quieting opposition, this petition only made it more vehement. For the Church valued the advancement of religion far more highly than any political interest, and thought itself justified by treaty in establishing ecclesiastical uniformity at any price, and even imposing it on the King. The petition was denounced in sermons, and signing it declared to be a crime: the church commission caused a counter declaration containing very violent language to be read from the pulpits.

There was a feeling throughout the country as though the outbreak of a new war was at hand: in February 1643 the noise of drums was believed to have been heard, and contending armies seen, in the air[2]. 'Our neighbours' houses are on fire,' says Baillie, 'and we already perceive in our own the smell of the burning.'

Immediately afterwards, through the influence of Argyle's adherents and the Church, a deputation waited on the King, to urge him immediately to summon a Scottish Parliament, and to make an attempt at mediation between him and the English Parliament.

The King rejected both suggestions, saying that he would abide by the arrangement already made for triennial parliaments, and that he would not allow his subjects in one kingdom to interfere in his differences with the other. Still he aimed at quieting the agitation of the Scots by his representations and by convincing them of his good intentions. He told them that, so far from attacking parliamentary rights and the Protestant religion, he was defending both, the former against a faction which had expelled

[1] The cross petition.

[2] Spalding ii. 230.

most of the members of both Houses, and the latter against Anabaptist sectaries. The Hamiltons were still confident that, if only all the King's adherents who were now with him came back at the right moment, they would have a majority in the next Assemblies. Hamilton and Montrose went to meet the Queen on her arrival in the north of England. Montrose represented to her that the interference of the Scots on behalf of the English Parliament was as good as decided, and that its evil consequences could only be averted by organising, under royal authority, an attack on the Covenanters in Scotland itself. Hamilton declared that Scotland could be held to its allegiance without bloodshed: was he really persuaded of this, or, as was said at the time, was he unable to come to an agreement with Montrose as to the command of a Royalist army?

Meanwhile the three leading commissions, — the conservators of the peace, the church commissioners, and a third for taxation,—united, not without the previous sanction of the Privy Council, for care was taken whenever possible to maintain legal forms: on being apprised of the King's refusal to summon a parliament, they proceeded to take counsel how this might be met, and formed a determination which was the completion of their earlier steps tending towards the independence of the Estates. Relying on some rather dubious precedents of earlier times, they held that they had the power to summon an Assembly of the Estates without the King, which they designated a Convention. Hamilton declared this to be a breach of their agreement with the King: the crown advocate, Thomas Hope, contested the legality of the measure: it was however accepted, and that before the King's friends arrived from England, 'since the importance of the matter in question so required': the writs were at once issued under the Great Seal, which had already in Scotland been removed from the King's personal disposal.

Just at this time the proposal was made at Westminster to enter into a new alliance with the Scots: messages relating to an embassy to be despatched for this purpose were exchanged between the two Houses[1]. Long before this, Pym,

[1] Journals of Commons, May 2.

who always maintained a good understanding with Argyle, had been heard to assert confidently that the Scots were ready to come to the help of Parliament. After all that had passed it might be assumed that there was an agreement between the leaders of the parties in the two countries.

Among the deputies who went to Scotland for the purpose of forming a new alliance, the most active and important was Henry Vane the younger, not exactly a man of strict Presbyterian principles: indeed most of the leading men were not at heart devoted to them, though at this time, more than at any other, they mounted Presbyterian colours. On June 12 an assembly of persons spiritual and temporal was convoked at Westminster, to reorganise the constitution of the Church and public worship on principles opposed to those of the bishops, and the Scots were invited to take part in it. Nothing could have afforded greater satisfaction to their religious pride, or offered a more lively incentive to their ecclesiastical ambition [1].

The Convention of the Scottish Estates met on June 22, at Edinburgh, side by side with the Committees which had summoned it. The Hamiltons had obtained the subsequent recognition of the Convention by the King, on condition that it confined its attention to certain points only, relating mainly to pecuniary differences between the two countries. The first question which the Assembly had to determine was whether or not it would acknowledge this limitation,—a point of immense constitutional importance, as it involved the maintenance or abandonment of its personal dependence on the King. The Hamiltons tried to show that the Assembly would be null and void if it overstepped the prescribed limits [2]. On the other side it was maintained that the authority of the Great Seal sufficed for subjects. On a division the Assembly by a large majority declared that it formed a free Convention. From among the gentry only a single member declared for the Hamiltons; but they found more

[1] Ordinance in Rushworth v.

[2] Hamilton's defence against the accusations made against him at Oxford. Article 7, in Burnet 265.

support among the nobility, eighteen of whom maintained the view that the Assembly was altogether bound by the King's writ: even these however did not venture on a direct protest, but contented themselves with expressing their disapproval and staying away from the sittings.

Thus it came to pass that in spite of all concessions there was again in existence in Scotland an Assembly opposed to the royal will, having unlimited claims, which it held to be grounded in right, and formed on purpose to proceed to the very measure which the King had sought to obviate by his compliance, a new alliance with England. We need not assert positively that at the time when these promises were made to the King there was any intention of violating them: only they were not so precise as to close every loophole. Obedience and loyalty were not the feelings which swayed men's minds: altered relations had brought other sentiments.

Special considerations were urged in support of the general intention. The war between the two parties in England, it was observed, threatened the Scottish frontiers, and nothing could secure their territorial interests but a new advance into England: this could not be done in alliance with the King, because he was too poor, but might well be done in league with the Parliament: neutrality at any rate could not be maintained. Moreover the advantages gained at this moment by the royal army in England were watched with considerable apprehension, since the King was still surrounded by the men against whom the Scots had from the first contended, and if he again became master, he would be sure to find a pretext for revoking all that he had granted to the Scots, and avenging himself on those who had deprived him of the possession of power[1].

Thus all motives alike,—religious, territorial, and even pecuniary interests, fear of the immediate success of the royal arms and the effects of this in the future, the hatred and jealousy of faction,—combined to urge the Scots to accept the

[1] Burnet. 'If the putting down of episcopacy was simply sinful according to the King's conscience, then that alone would furnish him with a very good reason to overturn all, since no men are bound to observe the promises they make, when they are sinful upon the matter.'

English proposals. They acted in this, even from their own point of view, without thorough foresight: there were other powers in England besides the King and Parliament by which their political and religious independence might be endangered. They were not quite blind to this fact, but as usual only the nearest and most direct interests came fully within their horizon.

Never perhaps were the plenipotentiaries sent to ask for assistance expected with greater eagerness by those who were to grant the help than the English on this occasion by the Scots: the General Assembly, which had just met, regarded it as a grievance that they were kept waiting. At last came the news that they had landed at Leith (Aug. 6), for, as was to be expected, they had made the journey by sea. They were received with the same forms as the Scottish commissioners in London: they were to communicate not directly with the two Assemblies, but with a commission appointed from these for the purpose. On August 9 they produced their instructions, which were to the effect that the two nations should jointly take up arms against a Popish and prelatical faction, and not lay them down until the faction was disarmed and subjected to the authority of Parliament in both nations, the army of the Scots to be paid out of the revenues of the malignants under the control of Parliament. It was especially urged that otherwise the good beginnings of a new church organisation in England must necessarily be interrupted through the strength of the enemy: against this danger the English Parliament desired the prayers of the General Assembly, and above all their co-operation by effective means.

It was evident from the negotiations that the English cared most for the political, the Scots for the religious connexion. The English gave way to most of the demands of the Scots, seeing clearly that without this nothing would be attainable; and especially on the following point. The Scots would not allow what the King had said, as to his being chiefly opposed by the separatist sects, to be applied to them, and rejected every allusion to those sects. One such allusion might originally have been found in the words which were approved

in the treaty, that the parties pledged themselves to a reformation of the Church of England according to the Word of God: for a great deal might be deduced from these words. The Scots however anticipated any explanation of this kind, by insisting on its being expressly added that the reformation should be made on the model of the best reformed Churches, and that the Churches in the three kingdoms should be brought into the closest connexion and uniformity in respect of doctrine, discipline, and public worship. Nothing in fact was to be expected but the extension of the Scottish system to the other two kingdoms. The abolition of the prelacy in all its branches, and the punishment of all malignants, were expressly stipulated. Thereupon they promised[1] to defend the privileges of Parliament and the liberties of the realms, unanimously and heartily, with body and goods, in every place, reserving however the rightful authority of the King. The Scots felt the danger of the alliance into which they were again entering. Just at this time arrived the news of the fall of Bristol, which made a profound impression: it was, says Baillie[2], a great act of faith, a high courage, unexampled sympathy, that our people endangered its own peace, and ventured life and all to save a nation which in every man's eyes was already lost. We cannot doubt that religious conviction had much to do with this. When the moderator in the General Assembly produced the draft of the Covenant between the two nations, worthy, wise, and aged men were seen to burst into tears of religious satisfaction and joy. The draft was again read, and every one invited to express his opinion upon it. Though here and there dissentient views were uttered, they were stated with so much reservation, that the adoption of the Covenant may be regarded as unanimous. The religious zealots saw with delight that the great neighbouring kingdom would accept their church system, and greeted as a

[1] We shall endeavour—the reformation of religion in the kingdoms of England and Ireland in doctrine worship discipline and government, according to the Word of God and the examples of the best reformed churches, and shall endeavour to bring the churches of God in the three kingdoms to the nearest conjunction and uniformity. (The Solemn League and Covenant of the three kingdoms.)

[2] Letters and Journals, ii. 99, which we here follow.

good omen the coincidence that the abolition of Episcopacy in England was now decided on the same day of the month on which, four years before, the same thing had been done in Scotland. It was a momentous step, to advance from a system of defence to one of proselytising, and if it failed, would bring on their heads all the vicissitudes of the war: but the Scots took it boldly. The Convention, like the Assembly, adopted the New Covenant, and before it separated published a proclamation by which every man between the ages of sixteen and sixty was required to hold himself ready to appear in the field fully armed, within twenty-four hours after the summons thereto should be issued.

After the English Parliament, which in this matter was guided by the Assembly of Divines at Westminster, had accepted the Covenant with few and insignificant alterations, the oath to maintain it was solemnly taken in the church at Edinburgh by the committee of the General Assembly and the Convention, and by the English deputies. This was on a Friday: the next Sunday the Covenant was recommended to the people from the pulpits, and signed and sworn to by all. Similar scenes took place in London. On September 25 the Covenant was read from the pulpit of St. Margaret's, Westminster, the numerous congregation raising their hands in token of assent. Then the parchment roll on which it was inscribed was signed first by the members of the Assembly of Divines and the Scottish Commissioners, and then, after blessing had been pronounced, by the members of the two Houses of Parliament: this was repeated in the churches of the capital and of the counties in the power of the Parliament [1]. It was the first act in which the union of the two kingdoms took effect. What the King and his bishops had failed to accomplish was thus achieved by John Pym and the Presbyterian preachers.

The alliance of the two countries was the work above all of John Pym. With him had originated, or at any rate had found conscious expression, the idea of giving life to the opposition in England by means of an understanding with

[1] Whitelocke's Memorials 70.

the Scots. He above all men had contrived the coincidence, which at the outset decided everything, between the first Scottish invasion and the election of a thorough opposition Parliament. It may be true, as has been said, that he took no such keen interest as others in uprooting the bishops on grounds of doctrine: but this was the object which united Scottish and English Puritans, and these again with the daily increasing Independents. He adopted it as a great political necessity, and held to it firmly, although the English revolution was thus led far beyond its original aim. His views were directed not to the restoration of equilibrium between the Crown and Parliament, but to the establishment of the completed preponderance of the Parliamentary power, and this implied the subjection of the spiritual element also. The alliance of the Puritan and Parliamentary ideas both answered this purpose and supplied the means for carrying it out. Parliament was connected with the disaffection of the city through religious ideas. John Pym was the originator of the tactics which called upon the masses at the decisive moments of parliamentary contests; he knew how to back the aspirations of the faction which he led by the regular recurrence of tumultuous popular demonstrations in the great capital. On his connexion with London he based his audacious resolve to deprive royalty, in which the power of the conqueror was perpetuated, of the arms which constituted its splendour and greatness. In order to obtain power to bring into the field for this purpose a popular army, without being dependent on the voluntary assent of every single man, he adopted the decisive means of taxing the necessaries of life: for he was a financier by profession, and was the first to introduce excise into England. In other political measures he derived encouragement and example from the Scots, with whose chief leaders he always maintained close relations. This was indispensable for both parties, not only as against the King and his declared adherents, but also against the moderate party which desired a peaceful solution. When Pym and his friends again had to fear the superior power of the King they did not hesitate once more to call in the Scots, though some objection was felt to them on

account of their exclusive Presbyterianism; and Argyle, who could not endure friendly relations between the King and the country, because this would raise his own immediate rivals to importance, came forward to meet him, in order by this means to overcome them. Argyle and Pym joined hands across a wide expanse. While everything was being prepared for carrying out the New Covenant, John Pym died (Dec. 6, 1643), worn out by the fearful efforts of the war, by the exciting alternations of danger and success, of defeat and victory. He possessed talents created for times of revolution, capable at once of shaking and destroying existing institutions and of establishing new ones, as resolute in passing great measures as in devising small means: audacious in his projects, but practical in executing them, at once active and unyielding, bold and prudent, systematic and pliant, full of thought for his friends, devoid of all consideration for those against whose rights he was battling. In Pym there is something both of Sieyès and of Mirabeau: he is one of the greatest revolutionary leaders known to history. Characters like his stand midway between the present, which they shatter for ever, and the future, which however generally develops itself on principles different from those which they have laid down. The parliamentary and religious system of John Pym failed to establish itself, but its influence is nevertheless immeasurable: it consists in the opposition offered to the combination in royalty of spiritual and political tendencies, in the crown being brought back into the track of parliamentary government, in the preparation made for the fusion of the English and Scottish nationalities. Pym before his death had prepared everything for a new advance in the great contest. By his activity a considerable payment had been made to the Scots on account of the original cost of arming and of the subsidies (£31,000 monthly) which had been promised to them, so that the levies there were progressing satisfactorily. The Scots had promised to take the field with 18,000 foot soldiers and 3000 cavalry, and were now ready in spite of the hard winter to cross the border. Meanwhile two new armies had been raised in England besides that of Essex, one under Waller, for which new levies in Sussex and Kent were

appointed, and the other under Kimbolton (Mandeville), who now since the death of his father appears as Lord Manchester, in the associated eastern counties.

The King had but one possible resource in the world to oppose to these accessions of strength to his enemies. He might have done what he was always given credit for wishing to do, namely, make a league with the Irish rebels, who fully recognised his prerogative in respect to England and were willing to maintain it. But this was impossible after the Irish massacre: the King would have raised against him the entire Anglo-Saxon and Protestant element, on which after all his crown as it was depended. At least he could never venture publicly to concede to the supreme council of the Irish full religious liberty, although personally he would have been inclined to do so. A few regiments came to his assistance from Ireland, but they were Protestants, no longer required there after the truce that had been agreed on. They were distributed among the different royal corps, and proved very useful: among other things they were present when Prince Rupert raised the siege of Newark, a step absolutely necessary for the maintenance of communications between Oxford and York: but this was very little in comparison with the aid afforded to the other side by the Scots.

The King was not without some sources of assistance in Scotland itself. He had long hesitated between Hamilton and Montrose, but was also induced by the course of events to give the preference to the latter. Hamilton, whom the court accused of treason, when he came to Oxford to defend himself, was arrested and imprisoned: the King assented, though unwillingly, and without being convinced of his guilt; for some of his firmest adherents openly threatened that otherwise they would quit him [1]. While Hamilton was expiating his dubious politics in a castle in Cornwall, Montrose, who had also come to Oxford, was made Lieutenant-General of the King's forces which had been, or hereafter should be, levied in Scotland. There was still, as we know, a Royalist party in Scotland, not only in the north, where here and there men

[1] So the King himself declared to Hamilton afterwards.

deemed it an honour to be classed among the malignants, but also in the central counties. Montrose was fully determined to unite these round his standard.

It is astonishing that the King, in spite of all the hostility exhibited toward him by the English Parliament—of which he regarded the renewed alliance with the Scots as one of the greatest proofs—did not even now take the step of declaring it dissolved. His reason was that this would have been to retract a concession solemnly made, and so to give occasion for doubt as to the validity of all the other statutes passed by this Parliament, many of which his own adherents would not surrender. As always, when between opposing and irreconcilable views, Charles I adopted a middle course. He declared that, in consequence of the tumults that had taken place in the previous July, the Parliament at Westminster was no longer a free Parliament, and summoned to Oxford all who had been expelled or who had fled from Westminster, in order to form out of them an assembly which should represent a free Parliament. There were 83 of the Lords, 175 of the Commons, a far greater number than remained at Westminster. On January 22, 1643/4, the King opened the sittings at Oxford.

Declaration was at once made here, in a form corresponding to ancient custom, that the proceedings of the Scots were to be treated as a declaration of war, and their invasion of English territory as an actual commencement of war and a breach of the treaty, and consequently that all Englishmen who should favour or assist their expedition were traitors and enemies of the country[1]. The Parliament at Westminster itself was in this case. After the Chancellor of the Exchequer had produced his budget, votes were taken for the necessary subsidies and for new taxes: and here, as in Edinburgh and London, recourse was had to the excise. The declaration was repeated with special emphasis that the King had taken up arms only in defence, for the maintenance of the Protestant religion, the laws of the land and the privileges of Parliament. If Charles I meant nothing more than to assert the nullity of

[1] Votes in Oxford, January 26; Parl. Hist. xiii. 54.

A.D. 1644.

the Parliament at Westminster, without pronouncing its dissolution and rescinding the acts by virtue of which it had sat so long, he had attained his end, but he could expect to produce no further result. The question which of the two Parliaments was to be deemed the rightful one, must be decided by the sword.

The King could only reckon on his old adherents and the forces already raised, when in the spring of 1644 this double storm began to break over him.

We will direct our attention first to the King's campaign against the Parliamentary army under Essex and Waller, and then to the events consequent on the Scottish invasion.

The first began with gloomy forebodings—so much so that the Queen, then near her confinement, hastened to quit Oxford and resort to Exeter, as a place where she would be safer—and at great disadvantage.

The King was only able to bring into the field 10,000 men to encounter the two armies which were set in motion under Essex and Waller at the beginning of May, each of which was about 10,000 strong. Prince Rupert had recommended that the infantry should be distributed in the fortified places in front—Reading, Abingdon, Wallingford, Oxford, Banbury; and that the cavalry should join the troops in the western counties, so that while one of the Parliamentary armies was occupied with the siege of those places, they might be a match for the other in the open field[1]. The council of war however which surrounded the King, and in which some members of the Privy Council, Digby and Colepepper, took part, could not resolve on this course, preferring to abandon some of the fortresses and unite their garrisons with the field force, in the hope that the latter would succeed in compelling the two Parliamentary armies, whose commanders it was well known did not agree, to fight separately from each other. The Royal troops abandoned first Reading and then Abingdon, and moved on Oxford to wait for their opportunity. The immediate consequences however were not what was expected. Both the Parliamentary generals advanced towards Oxford,

[1] Walker, Historical Discourses 13.

and though they were not altogether on good terms, co-operated effectually with one another. While Waller forced the passage of the Isis, Essex could not be kept beyond the Cherwell: both marched on the city, which was all the less ready for resistance because it was not provisioned for receiving so large a garrison. The report was spread abroad that the King was already a prisoner: the Parliament issued a decree relating to this possibility—we learn that even in the King's own neighbourhood it was regarded as unavoidable. He was urged to treat in time with Essex, for otherwise he would become his prisoner. The King replied that it was possible this might happen, but at least he would not survive it[1]. He was determined, whatever might be the consequences, to try the fortune of war once more in the open field.

After taking the most urgent precautions for the defence of Oxford, he moved from thence with most part of his troops. He succeeded in fact in passing between the two hostile armies, which still remained separate: on June 6, four days after he started, he arrived with a few followers at Worcester, by way of Burford and Evesham.

What he had originally expected now took place: the two hostile armies separated. Essex would not be prevented from advancing into the western counties, where he hoped for great successes: the King had only Waller to deal with.

He would not let himself be shut up in Worcester, as Waller attempted, holding it to be essentially dishonourable for a King to be besieged, and moved farther northwards. While Waller followed in the same direction, the King succeeded in turning back, so that what was then taking place in the German war between Torstenson and Gallas, that sometimes one, sometimes the other was in advance, was repeated on a smaller scale in England. On June 16 we find the King on the heights of Camden, then at Witney near Oxford, where important reinforcements hastened to meet him. Surrounded by a pretty considerable army he could think of advancing on London, where a bold stroke

[1] 'But he would be dead first'. Clarendon's Hist. Book viii. (iv. 488). The single testimony of Clarendon must here suffice: it is not found in Walker, whom in other respects he follows.

A.D. 1644.

would revive the dormant Royalist sympathies: the message had actually been drawn up which in that case was to be sent to Parliament. Waller, who had followed in his track, came up, and an action took place at Cropredy Bridge, in which the King obtained the advantage. Waller's losses were not very severe, but he had lost his field guns and his most experienced artillery officer, and deemed it well to avoid another conflict. The King also found it advisable to give his troops rest and refreshment: then he moved back towards Evesham, in order not to bring the enemy again upon Oxford by returning thither, and so endanger it afresh.

Meanwhile Essex had made successful progress in his march westward: he had compelled the Royalist troops to raise the sieges of Lyme and Plymouth, and had advanced into Cornwall. Quite contrary to his expectation he there met with determined resistance and outspoken Royalist sentiments. After the King had refreshed and strengthened his troops in their quarters, he resolved after some hesitation to go to the aid of his adherents in that district. His chief motive was that his wife would now be endangered at Exeter by the proximity of the enemy. Strengthened by Prince Maurice and Lord Hopton, Charles I appeared with a very superior force in the rear of Essex, who was now in painful difficulties. He had neither provisions to maintain his troops, nor money to pay them: the inhabitants rose against him in all directions[1], he could obtain no answer, much less any help from Parliament, for he had long ago lost the favour of the leading men there. At this moment the King, with the assent of the officers of his army, offered him terms. Essex however was a man of the Parliamentary majority, to whose principles he held firmly, though now personally ill-used. He rejected every offer, remaining convinced that the royal will expressed with the assent of the two Houses was the only thing binding on him. Still he had no inclination to fight against the King in person, which besides would then in the condition of his army have been ruinous. He

[1] Essex to the Committees of both kingdoms. Lostwithiel, August 4, in Devereux ii. 424.

resolved to escape to Plymouth with his chief companions in arms. The Parliamentary cavalry cut their way through the Royal troops, the infantry capitulated, the artillery and arms fell into the King's hands.

The campaign of 1644 was the best success achieved by King Charles I. The French ambassador, who met him at Evesham and had a long audience on horseback, cannot praise him sufficiently: he is full, he reports, of judgment and sagacity, never lets himself be led to any precipitate action through his dangerous position, orders everything himself, both great and small, never signs anything that he has not read, and on horseback or on foot is ever at the head of his troops[1].

Meanwhile the campaign in the North had taken quite a different course. At the end of February the Scots crossed the Tyne: the manner in which they effected the passage did not altogether excite the admiration of veterans; the soldiers lacked discipline, and the officers experience[2]. They would with difficulty have held their ground against the Marquis of Newcastle had they encountered him in the open field, but they declined to quit their position, which was rendered unassailable by ditches, hedges, and marsh. The reason for this was that they could confidently reckon on seeing the troops of the Parliament approach in a short time from the other side.

By the express orders of the recently formed committee of the two kingdoms, Thomas Fairfax and his father Ferdinand Lord Fairfax moved towards them, the former issuing from Lancashire, the latter from Hull. Colonel Bellasis, who tried to prevent their junction, was surprised at Selby, defeated and taken prisoner,—a success in itself of no immediate importance, yet one for which Parliament was right to order a thanksgiving, for the Marquis of Newcastle was thereby compelled to retreat in order to cover York. The Scots could now advance from their position, and on April 20, Lesley Earl of Leven, joined the two Fairfaxes at Tad-

[1] Depêche de Sabran, November 3, 1644. 'Va autant à pied qu'à chevàl à la tête de son armée qui est fort bonne.'

[2] James Turner, Memoirs 31.

A.D. 1644.

caster. And as the levies of the united counties now appeared under Lord Manchester on the northern border of their own district, the three corps were able to undertake the formal investment of York, so that on June 16 an assault was made on the ramparts.

York was the second city of the kingdom, the place where the Royalist party had first made head: the whole of the North depended on it. The King durst not leave it without assistance: he requested his nephew Prince Rupert to abandon every other scheme and proceed immediately to the relief of York. If York fell, his crown was as good as lost: the only hope he had of retaining it lay in relieving York and defeating the rebel army which was besieging it. He conjured him by his duty and affection to accomplish this work without delay[1].

The prince was then at the zenith of his military fame. After his fortunate exploit at Newark he had gone to the assistance of the chivalrous Countess of Derby, who defended her castle of Lathom House, the walls of which she had herself made defensible, first against Thomas Fairfax and then against the more vehement attacks of Rigby; and had compelled the besiegers to relinquish their undertaking. They moved to Bolton, one of the chief seats of English Puritanism, and this place also was captured by Rupert. Then he advanced upon Liverpool, which fell into his hands without resistance. Now he was summoned by the King's letter to the most important operation with which he could ever be entrusted, for on its result the issue of the war mainly depended.

With a force which had been regarded as insignificant, but which had now grown, through all the additions that had been made to it, to 8,000 horse and 10,000 foot soldiers, Rupert at the end of June crossed the hills which separate Lancashire and Yorkshire: his arrival and name immediately produced a great effect. The united army of the English and Scots quitted its lines before York, and took up a position to bar his advance: but he avoided it, and entered York as a deliverer.

[1] Letter in Warburton ii. 438.

The arrival of these tidings filled the King's camp with joy: it seemed now as if everything would end fortunately. In London men went about with bowed heads: it was thought probable that Rupert would unite with the King for an attack on the united counties, on the possession of which the military operations on the side of the Parliament were mainly based. It was believed that Newcastle, even without Rupert, would be able to maintain himself in Yorkshire, and make head against the united generals, between whom no very good understanding prevailed.

Never in truth would it have been wiser to avoid a decisive battle than at that moment, looking at the relative positions of the two contending forces. But it was of the very nature of the Royalist enthusiasm to thirst for great battles. Prince Rupert in particular thought that nothing had been done so long as the enemy stood before him unconquered. He held that the King's letter not only empowered, but instructed him to fight: in conjunction with the troops that were in York he thought himself strong enough to win a victory. The Marquis of Newcastle combated the proposal, but Rupert persisted: the Marquis would not, though he disliked it, appear to be overruled; he said that he had no other ambition than to be a loyal subject, and joined the Prince with his brave white-coats, and every man that could be spared from York.

The war had by this time assumed a terrible aspect. The Parliament declared the troops who had come over from Ireland to be traitors, and Essex had those who were taken prisoners executed. Thereupon Rupert hanged on the nearest trees an equal number of those who had fallen into his hands. Often if the Roundheads on one day obtained admission into a country house, on the next it was reduced to ruins by the Cavaliers. A horrible massacre had even now been impending over the Puritans at Bolton: one party wished to avenge, the other to continue it.

Thus all these feelings of hatred and revenge were added to the natural spirit of warfare—they must and would fight.

On July 2, 1644, the two armies met at Long Marston Moor. Each of them numbered about 20,000 men, every one

of whom had chosen his side and knew what he was fighting for. The battle cry of the one side was 'God and the King'; for they wished to maintain the ancient constitution under princes ruling by divine right: that of the other was 'God with us'; for in them religious motives superseded all others, they would have no prince who imposed any restrictions in this respect. The engagement did not actually begin until 7 p.m. At first the battle seemed likely to have a similar result to most of the previous ones. The right wing of the Parliamentary army, led forward to the attack by Thomas Fairfax, was repulsed: then the Royalist cavalry under the command of Goring dashed with redoubled fury on the enemy's centre, chiefly composed of Scots, and broke it after a vigorous resistance: old Alexander Lesley, who had striven in vain to rally his troops, at last himself took to flight. A very different result awaited the encounter on the left wing, which had some Scots in the reserve, but otherwise was entirely composed of Englishmen, the core of it being the cuirassiers raised by Cromwell in the united counties. 'Is Cromwell here?' asked Prince Rupert of a prisoner, for he already recognised him as his most dangerous opponent. Against this cavalry Rupert now led his own men—veterans, crowned with victory, whom no enemy had yet withstood, against newly-formed and untried troops. If we set aside the boastings and the apologies of the rival parties, we shall discern that this was the decisive moment of the war. The Royalists on this day had adopted a change of tactics; in order to give their cavalry more mobility for attacking the Scottish infantry, they had separated the regiments into squadrons, which may have been an advantage against infantry, but was injurious when they were opposed to a compact and coherent mass of horsemen[1]. The attack thus weakened encountered the fierce resistance of the newly-formed Parliamentary cavalry, whose success had a decisive

[1] I take this notice from Fuller's Worthies ii. 225. On the Royalist side Newcastle was originally blamed (A. Trevor, in Carte's Letters i. 58), then Byron, who actually suggested the attack on Cromwell (Rupert's Diary). The Scots praise Lindsay, Eglinton, above all David Lesley. The Presbyterians defend Fairfax. Cromwell is however praised even by those who were not Independents, as the author of the victory.

effect over the whole battle-field. 'We drove', says Cromwell, 'the entire cavalry of the Prince off the field; God made them as stubble before our sword. Then we attacked their regiments of foot with our cavalry, and overthrew all that we encountered.' The slaughter was deadly, for Cromwell had forbidden quarter being given. Newcastle's white-coats fell in their ranks as they stood. The King's troops sustained an annihilating defeat. The Marquis of Newcastle would not appear before his party as a defeated man, to see the admiration which he had hitherto merited change into scorn or pity: he took ship the next day for Hamburg. The remains of the army gathered round Prince Rupert, who retreated into Lancashire. The capital of the Royalists, the ancient city of York, fell into the hands of the allied generals, who by their union became masters of the North of England. The Scots set forth to occupy Newcastle.

If the royal cause did not even yet seem to be utterly ruined it was because of the great success which Charles I had achieved in Cornwall. He still maintained his ground. On his return towards Oxford, Manchester and Waller met him at Newbury with a superior force: the King was in personal danger and had to quit the battle field; just afterwards however he succeeded in relieving Deddington, which was besieged by the Parliamentary army.

In November Charles I returned to Oxford. Neither he himself nor his followers had lost courage. The loss of the North was to a certain extent compensated by the possession of the West. Others however thought it impossible that he should make head against the superior forces of Parliament, strengthened by their alliance with the Scots[1].

[1] Préface aux negotiations de Sabran. 'Le party contraire ayant Londres et les forces de mer en main, les Ecossais l'appuyant d'une forte armée, la nature ayant mis un obstacle près à tout secours étranger, le peuple ayant toujours estimé le parlement le contrepoids de l'autorité royale pour son propre bien, la hayne de l'un et de l'autre (peuple et parlement) étant égal contre le roy et la reine, il est malaisé d'attendre que de la main de Dieu le restablissement de l'autorité royale.'

CHAPTER IV.

PREPONDERANCE OF THE SCOTS. RECONSTRUCTION OF THE ENGLISH ARMY.

THE Scots, there is no doubt, had again contributed decisively to the change of fortune, and therefore a great influence on the course of affairs necessarily fell into their hands. Immediately after the arrival of the Scottish commissioners the Committee of the two kingdoms was established, a body which in fact expressed this relation. Loudon and Warriston had devised the scheme: it was first discussed and shaped in consultation with the younger Vane and Oliver St. John, and then brought before Parliament. The Committee was to direct its attention to the maintenance of a good understanding within the three kingdoms, as well as with foreign powers, and especially in all that related to the war in which they were engaged, not only to advise and consult, but to order and regulate[1]. These words excited vigorous opposition in the Lords: they were unwilling to commit the direction of affairs to a Committee which consisted partly of Scots, and which would deprive Parliament of the ultimate decision, and they also did not wish to place the Earl of Essex, who hitherto had maintained great independence in the command of his army, as was allowed to a general in those days, under the direction of a Committee. The Scots however insisted on their views in a forcible memorial, and were backed by the Lower House. For it was obvious that the war could not be carried on by the two

[1] 'To advise consult order and direct concerning the carrying on and managing of the war for the best advantage of the three kingdoms.'

nations in conformity with the single end in view, nor could their forces co-operate, unless they were under a single authority, which was impossible without a Committee of both nations. Nor could such a Committee be in its turn subject to Parliament: the Upper House was informed that unless it assented the war would have to be carried on without the two Houses of Parliament. After unusually active opposition, repeated divisions, and several conferences, the Lords gave way. The Committee was entrusted with the required full powers: it comprised seven Lords and fourteen of the Commons. We find Presbyterian names not only among the former, where they preponderated, but also among the latter. Manchester, Warwick, Essex, Northumberland, appear among the former, the two Vanes, Stapleton, St. John, Haslerig, Oliver Cromwell, among the latter. The resolutions were in general passed by a very small number of votes [1].

Among the papers of the interregnum preserved in the English archives is a collection of the resolutions of this Committee. They refer to the maintenance of communication between the armies, to the furnishing of supplies, to the conduct of the war itself, both in England and Ireland. Sometimes they are very precise and stringent. The commanders of the armies are instructed what troops they are to assemble, whether they are to oppose the King or Prince Rupert, in what direction they are to move.

The money requisite for the army was collected by another Committee, which sat in Goldsmiths' Hall, and received its powers and instructions from the English Parliament. The chief source of income was the property of delinquents [2], for so they termed all who held to the King in opposition to the resolutions of Parliament: the property was sold, or the owners compelled to pay a composition, which at times was very considerable. The Earl of Thanet was condemned to pay a fine of £20,000, for having aided the King with his plate,

[1] Journals of Lords 1643/4. Febr. 12/17.

[2] Order Book relative to delinquent estates, July 1644 to May 1649, two thick volumes. Some of its contents are in the Lords' Journals, e.g. July 26 and 29, 1644.

and appeared in the field against the Parliament. The offence imputed to most of them is participation in the war in favour of the King; but some are condemned for having shown themselves to be enemies of Parliament and of good men, as the adherents of Parliament are termed. We know how nearly the Scots were concerned in these confiscations: when the treaty was concluded attention was expressly directed to the goods of papists, prelatists, and other malignants, as being the cause of all mischief[1].

The Lords opposed the Scottish interest in another affair also. They asked for a Committee of the two Houses to open peace negotiations with the King; the Scots maintained that not only no peace could be concluded without them, but no negotiations could be undertaken, the two nations being united for peace as well as for war. The Lower House was not so strong in favour of the Scots this time as formerly: the votes were equal, but the Speaker, Lenthall, gave his casting vote in favour of the Scots.

Thorough hostility between the Lords and the Scottish Commissioners was however not to be expected. Lord Holland,—who had once gone to the court at Oxford, but being unable to exert any influence there had returned to the Parliament,—and his friends among the nobility, desired nothing so much as a treaty with the King, which would secure them both ways. For already they clearly perceived what would happen to them if the Lower House persisted in its present course. They greatly desired the presence of the Scottish Commissioners, and the regard which must be paid to the Scottish Parliament, as a counterpoise to their opponents, by whom they were completely overmatched[2].

The Scots thus attained unlimited influence over the conduct of the war, the negotiations with the King, home and foreign affairs: nothing could be done without them, the

[1] Instructions § 4. Old Parl. Hist. xii. 341.

[2] Sabran, Aug. 8/18: 'Les grands d'ici sont si étonnés, qu'ils espèrent plus de succès en leurs propres affaires par l'antipathie qui sera enfin entre les deux parlemens ou leurs deputés, qu'en la conduite de celui-ci, duquel la chambre basse s'attire toute l'autorité et à quoi les autres (les Ecossais) résisteront mieux qu'eux mêmes.'

Committee of the two kingdoms, in which they had a decisive voice, held the government in its hands.

They sought especially to strengthen and extend this power, because they desired, according to the terms of the union, to complete the Presbyterian system in England, and to establish uniformity.

The Westminster Assembly.

It is obvious at the first glance how great was the difference in this respect between the two countries. In Scotland the parishes with their lay elders, the synods and assemblies, were the expression of the national independence permeated by ecclesiastical ideas: in England all had to be introduced from above, by the power which held the helm of state. The Assembly of Divines at Westminster differed equally widely from a Church assembly in Scotland. The members had been named by Parliament according, not to dioceses, but to counties: their resolutions had no force beyond what Parliament chose to give them: they acted like the disputants in the colloquies of earlier times: the state reserved to itself its judgment, whether of rejection or of approval [1].

In the Assembly itself these ideas were represented by some members, the Erastians, who were also regarded as the most learned of all. They claimed for the state high authority in Church affairs, for which they regarded the kingship of the Old Testament as the model. They rejected the right of Church sessions and courts to excommunicate, which formed the mainspring of their power.

Besides the champions of State-intervention in the Church, there were other and more dangerous opponents, who asserted the autonomy of all religious congregations, and their total independence of the State, even more strongly than the Presbyterians. The Congregationalists, who appear more definitely as the Independents, formed perhaps a seventh part of the Assembly. They had become by far the most important of

[1] Collier's Ecclesiastical History ii. 824.

the separatist sects with which the Presbyterians four years earlier had co-operated.

So far as the overthrow of the episcopal system went, these two parties were still in accord, and the temporal authority lent its hand to the work. The pictures were burned in solemn procession, as at Florence in Savonarola's time, the organs were destroyed, the episcopalian members of the colleges in the universities expelled. Under these influences the prosecution of Archbishop Laud was resumed. The chief accusation against him was that he had tried to assimilate the English Church to Popery, and to introduce into it papistical and superstitious observances. Laud, like Strafford, was condemned by a Bill of Attainder proceeding from the House of Commons (Nov. 11), and this Bill, though not without opposition, was accepted by the Lords[1]. After all that had happened, the King's sanction was thought to be as little necessary in this matter as in others.

When the time came for erecting a new edifice on the ground chosen and levelled for the purpose, the contest between the Presbyterians and Congregationalists in the Assembly of Divines instantly began. The latter rejected entirely the system of lay elders, and denied that it could be proved from Scripture to be a divine institution: they would allow the consistories neither to ordain nor to excommunicate. In these institutions they saw nothing but the relics of an old and detestable system, for the imposition of hands was evidently of a hierarchical character: if the Reformation was to be complete they must revert to the original institution of independent churches, each one possessing the right to govern itself through its elders. They revived the idea of the first Anabaptists, that the communities should consist of the faithful only, and that no one could be admitted who had not proved that he was in true grace. Personal holiness, a blameless life, they required less strictly than the Puritans; but

[1] His epitaph runs: 'Securi percussus immortalitatem adiit die x Januarii, 1644.' Rushworth (v. 380) intended to have treated his trial at as great length as that of Strafford. As this was not done, we have to depend mainly on Laud's own detailed narrative of his examination.

they expected a thoroughly Christian disposition which came of grace. In such a community all clerical elements entirely vanished; it alone had the power to choose the ministers of the word, or to expel from its society. One day one of their spokesmen, Nye, declared plainly that the establishment of a church government extending over the whole country, even of a national assembly, would have disastrous and terrible consequences. The Scots were greatly agitated; they would have nothing more to do with principles so hostile to their own. On this occasion, as in relation to other differences, they were persuaded to moderate their anger. The adherents of these opinions were already a power in the realm: some of the leading members of the Committees were among them; a breach between the two parties must at any cost be avoided.

In reality it was the political preponderance of the Scots which gave them the upper hand in the religious strife. There can be no doubt of this, their own letters assert that their arms had had a large share in the result[1]. If at first they held back from discussing the weightiest questions, they declared it was because they wished first to wait for the advance of their troops: they assert later that their enemies would go further and occasion greater confusion if not kept in check by the fear of their army, which had approached meanwhile. It was due to the necessity of the closest union in a moment of difficulty, that in May 1644 they obtained the recognition of the principle that the right of ordination did not belong to any single congregation. At the same time also they obtained the acceptance of their eucharistic rite, which was resisted by the Independents.

In the decisive battle of Marston Moor however the Independents also had a great share. The question which of the two portions of the army had done best assumed a sort of theological importance. Cromwell was almost accused of cowardice by the Presbyterians; while the Independents extolled his merits to the skies.

A committee was appointed to try and smooth over the

[1] Baillie's Letters, which here give generally authentic information.

differences between the Independents and Presbyterians. The former claimed at least toleration, which seemed to the others unendurable: the point had already been decided at the conclusion of the league between the two nations. At that time all objections had been waived on the English side, in order to gain the religious sympathies of the Scots. The stronger their influence, the more firmly they held to their exclusive Presbyterianism. Necessarily the Independents resisted as much as they could.

The occupation of Newcastle by the Scots, in the name of the English Parliament, was an event of scarcely less ecclesiastical than military importance. Once more royalist sentiments were manifested there in all their strength: all the offers of the Scots were rejected, and they were obliged to take the place by storm (October 19, 1644.) This success in the face of a brave resistance raised their own estimate of their services to England. When they announced their victory to the Committee of the two kingdoms, they demanded that now the settlement of public worship should be completed by the Assembly and ratified by Parliament.

The Independents felt that any resistance would be fruitless; they assented to the introduction of the Scottish worship, the more so as in the preface to the new Directory some words were inserted which allowed rather less strictness in observance without surrendering anything in principle [1]. Parliament not merely gave its sanction to this new church order, but unequivocally accepted the forms of Presbyterian church government, insomuch that in the articles which were to be laid before the King, the subjection of all congregations to a system of provincial and national assemblies was made one of the conditions to which he must assent.

Had things come to this point the entire Scottish church system would have received legal validity in England also, and the Independents would have been obliged to disappear like the Episcopalians.

[1] Baillie: 'One party purposing by the preface to turn the directorie to a strait liturgie, the other to make it so loose and free that it should serve for little use—God helped us to get both rocks eschewed.' (ii. 242.)

The Negotiations at Uxbridge.

The object of the peace negotiations, which after much delay were at last agreed on, was not only a reconciliation with the King, but also the establishment of an ecclesiastical and political system complete at all points. The chief author of the articles produced was the man who long before had given the most consistency to the revolutionary movement in Scotland, Johnston of Warriston: he sketched them out in April 1644, carried them in the Committee, and then went with them to Scotland, where the Parliament made some few additions, especially the names of those who were not to be pardoned without the assent of Parliament. Through his influence the articles with these additions were accepted, first by the Committee unanimously, and then by the two Houses. In November they were laid before the King.

The introduction of Presbyterianism, by the acceptance of the Covenant itself, was insisted on in them more strictly than ever; they also retained the parliamentary control of the militia, and demanded a renewal of the war against the Irish[1]. What was thought of these proposals in the outer world is indicated by the observation of the French ambassador, that Charles I, if he accepted them, might as well discard the title of King; for under these conditions he would be scarcely more than the first man in a republic. Charles I's motive for entering into negotiations, and even suggesting them through his own ambassadors, was mainly in order to allow no further ground for the rumour that he hated peace[2]. He hoped that by the discussion of the articles their inadmissibility would be made manifest.

In the conduct of the negotiations he played a very subordinate part: Parliament took care to keep the matter entirely in its own hands. It fixed the place of meeting at the small town of Uxbridge, which afforded none of the comforts

[1] Baillie ii. 172, 187, 221: Balfour iii. 197.

[2] Sanderson: 'Although he offered fair propositions, yet they were mixed with such conditions as might not easily be admitted, and so the King's offer did but amaze the people into a milder opinion of his proceedings.'

of life: it limited the time to twenty days, in reckoning which, it was thought necessary expressly to provide that the intervening Sundays were not to be counted: it instructed its representatives (among whom we find, besides some Lords, and the peacefully inclined Hollis and Whitelocke, Vane and St. John, the leaders of the dominant party) in what order the questions were to be taken, and ordered them not to depart in any material point from the contents of the original propositions.

The plenipotentiaries of both parties met at Uxbridge towards the end of January. The Parliamentarians occupied one part, the Royalists the other, of the little town, and divided the two inns between them: each party had its separate entrance to the old-fashioned building in which the meetings were held, and separate chambers to which they might retire.

At times however they met by the fireside, and the visits which they paid to one another now and then passed the limits of mere formality. One of the Parliamentary Lords, the Earl of Pembroke, admitted one day to Edward Hyde, Chancellor of the Exchequer, that the Lords regretted having gone so far; he besought the King to have pity on them, and to free them from the wicked men who now governed everything: if the King would only accept the conditions proposed to him, as soon as peace was concluded they would give him back all that he now surrendered, and make him once more a powerful King.

Counsels of this kind had formerly produced an impression on Charles I, but this was no longer the case. Concessions made in the hope of thereby gaining a party had been the occasion of his losing so much: he had long been convinced that nothing which had once passed into the hands of the Parliament was ever to be recovered from them[1].

Some offers of compromise were made by the royal plenipotentiaries. They would admit the limitation of the bishops' power by a council of the lower clergy, and even by laymen, to be elected by this council, in each diocese: Parliament should regulate the spiritual jurisdiction in relation for instance to marriage: even a rent-charge on ecclesiastical revenues for

[1] 'That there never was such a pack of knaves and villains as they who now govern in the parliament.' Clarendon bk. viii. (iv. 595).

'the maintenance of peace' was suggested. Even this seemed to the King almost too much, and he declined to go a hair's-breadth further, as he considered himself bound by his coronation oath to maintain the Church establishment. Once more appeared the political argument, that it was necessary for the power of the crown to retain the dependence upon it of the spiritual power. The right of the sword also, without which the crown would be a mere shadow, seemed to be a good ground for a King to fight on. Charles I agreed to the appointment of a commission for nominating the commanders, say for three years, but only on condition that half of it should be named by himself, and that the military power should hereafter return into his hands. This by no means satisfied the Parliamentary plenipotentiaries: they asked for the exclusive nomination of the commission by the two Houses of Parliament, and for a period of seven years; what was to be done in the future must be decided at the expiration of the time by parliamentary proceedings, and in no other fashion[1]. They added by way of explanation that the power of the sword, of peace and war, must always be exercised through the King and the two Houses of Parliament.

Two opposite systems were as it were brought into contact. Parliament desired to subject Church and State to its authority permanently: the King hoped by momentary concessions to gain the possibility of restoring in the future the ancient power of the crown: no agreement was possible. The affairs of Ireland were also discussed at Uxbridge[2]: but whereas the Parliament demanded the termination of the existing truce and a renewal of the war, the King sought to establish permanent peace there.

On the twentieth day of the negotiations (February 22) the meeting broke up. The Royal plenipotentiaries hastened to reach Oxford that evening, since their safe conducts expired with that day.

[1] 'The Royal power concerning the militia and to make peace and war, we cannot admit, that it is otherwise exercised than by authority from His Majesty and both houses of Parliament.'

[2] The whole proceeding of the Treaty of Uxbridge. Paper cxxx. cxxxvi. in Rushworth v. 839, 841.

Dissensions in Parliament. The Self-denying Ordinance.

Nothing would have been more desirable for the two parties who had been treating together, the Scottish Presbyterians and the Royalists, than to arrive at an accommodation.

At the time it was often asserted, even by statesmen like Mazarin, that the Presbyterian principles involved the destruction of the monarchy, and the introduction into England as well as Scotland of the republican institutions of the Netherlands[1]. This may however be contradicted with certainty. The Presbyterians wished to reduce the crown to an extremely small amount of power, but they had no wish to abolish it; neither their theory nor their necessities led to this. The Scots desired to see a King of Scottish extraction on the English throne, and they wished also that a system of spiritual and temporal government, such as they had extorted from the King, should be supreme in England also, if only to prevent the possibility of a reaction from thence influencing Scotland. They adhered to hereditary monarchy as a fundamental point: long and bitterly as they had contended against Charles I, they would not let him be overthrown.

The opinion has often been expressed, that if it was a crime to have taken up arms against Parliament, no one was guilty of it in a higher degree than the King himself, and that he had thus disqualified himself for the throne: and his two sons were liable to the same charge. The idea was started of offering the crown to the Elector Palatine, who in that case would more easily recover his own territories, for England would enter into a league with Spain to counterbalance the French, who were on the side of the King: or again of raising to the throne the third son of Charles I, Henry Duke of Gloucester, who was in the hands of the Parliament, and of bringing him up under the domination of a perpetual

[1] Instructions to Sabran. 'Les Puritains, soit Anglais, Ecossais ou Irlandais, haissants la royauté et toute juste domination, n'essayeront pas seulement d'abattre celle de leur roi, mais de se lier avec les républiques voisins.

Parliament [2]. We find that Henry Vane, whose ideas went beyond Presbyterianism, betook himself to the Scottish camp, in order to arrange for one or other of these plans; but all his efforts were in vain.

No doubt this unbending attitude of the Scots strengthened the antipathy felt against them on other grounds. It was thought unendurable that a foreign nation should intrude into the counsels of England and seek to decide its fate. Their attempt to introduce in England the Presbyterian system of church government aroused still greater hostility. The Congregationalists, defeated in the Westminster Assembly, had no small following among the common people, and a very extensive one in the army: they most strenuously rejected the hierarchy which would result from the union of the Presbyterian clergy with the lay elders, and which would form an ecclesiastical tyranny as bad as that of the bishops. If things were allowed to run their course, it must be expected that these tendencies would invade the Lower House, and perhaps carry it away. Thus it would have been of inestimable value to the Scots to come to terms with the King, whereby their opponents would have been at once checkmated: it is strange that they did not make more effort.

The French ambassador more than once spoke on the subject with the Scottish commissioners Maitland and Loudon, and urged them to abate the hardness of the terms offered by them to the King. They required unconditionally only one concession, his acceptance of the Presbyterian system: there are necessities in politics which no negotiation can master. Since the union with England had been formed for the express purpose of thoroughly destroying Episcopacy in that country, the Scottish commissioners could not recede on that point. They sought to induce the ambassador to use his influence to get it admitted: they assured him that in that case they would moderate every other demand, that the King should recover his previous authority, and be granted a larger income, and that as great honour as ever should be paid to the Queen.

[2] Sabran: 'Innocent des troubles et des contraventions aux lois de l'état, qu'ils prétendent avoir été commises par LL.MM. Britanniques, par le prince de Galles et par tout le parti du roi, qu'ils déclarent criminel de l'état.'

A.D. 1645.

Sabran reminded them that this depended not so much on their good will as on the English Parliament. They replied that the resistance of the Lower House to reasonable things would be advantageous to the King, and hinted that he would then have the Scots on his side. Unless the King gave way in the matter of religion, no peace, no result to any negotiations was to be expected, but if he would concede this a third party would at once be formed [1]. They reckoned not only on the friends of peace in the Lower House, but also, and with good reason, chiefly on the nobility of England, who, as we have seen, felt themselves threatened and endangered by the line of conduct which seemed to find favour in the Lower House.

It was also very greatly to the King's interest to keep down a party which sought to overthrow him, and openly uttered republican sentiments. On other points he would have been able to yield, but on this one he could not. His own convictions were the other way, and moreover he would have alienated the greater part of his friends. It was as much a matter of absolute necessity for the King to refuse, as for the Scots to urge, the concession.

This division contributed further to strengthen the opposite party, which day by day grew more powerful. At its head was the man of the age, Oliver Cromwell. He made no secret of his opinion that the future of England depended neither on the crown nor on the Lords, that a time would come when there would be neither king nor peers in England. He charged the Scots with having come to impose their hierarchical system on the English; but he would himself, he was heard to say, draw the sword against them, and extort the conditions which were indispensable for his co-religionists. He would on no account suffer the combination of aristocrats and Presbyterians, which was being formed, to establish itself

[1] Sabran, Feb. 9, 1645. 'Que le roi y consentant, toutes sortes de propositions seroient bientot accommodées au gré de S. M., sa dignité entière, ses revenus augmentées—que l'opposition aux choses raisonnables seroit avantageuse au roi de Gr. Br.:—qu'il n'y aura pas sans cela succès au traité ni suite de paix, et qu'avec celle elle se peut faire raisonnable.'

in power: the mode in which he set to work is characteristic of his deep, subtle, calculating, and determined nature, biding its time, but always advancing towards its object.

He first attacked the English nobles: he accused of treason his former commander, Lord Manchester, who in these complications had exercised decisive influence. For a long time they had acted together, like the Independents and Presbyterians in general, Manchester being one of the leaders of the latter, Cromwell the acknowledged chief of the former; but now they separated from each other. As the nobles were of opinion that the King must be allowed to exist, it was attributed to their want of zeal that Charles I had not been altogether annihilated in the war. Cromwell accused Manchester of having occasioned the smallness of the results from the battle of Newbury, by neglecting advantages and throwing away excellent opportunities; saying that there was reason to think that Manchester had purposely spared the King and had not wished to turn the engagement into a complete victory[1]. We have no means of discovering how far Cromwell was right: Manchester rejoined by a charge of insubordination. It is obvious that Cromwell's accusations fell upon others besides Manchester: the same charge had long ago been made against Essex and other generals; he only expressed the universal conviction.

The drift of this quarrel did not escape the Scots. They saw in Cromwell's proceedings the intention to seize for himself the chief command of the army, to dissolve the union of the two kingdoms, and to destroy the House of Lords. Well might they desire the prayers of the faithful in their behalf, for the scheme seemed to involve danger to their religion also.

To rid themselves of this dangerous rival, they once seriously adopted the idea of impeaching Cromwell. One of the chief charges which had been urged against Strafford, that namely of destroying the peace between the two kingdoms, might, it was believed, be brought against Cromwell: he was an incendiary, that is, a man who kindled strife between the two

[1] General heads (St. P. O.): 'That there is good reason to conceive that this backwardness and neglect in H. L. to take advantage against the King was out of a design or desire not to prosecute the war to a full victory.'

countries[1]. The nobles of the Upper House and the Scots seem to have had an understanding on this matter. One day the Earl of Essex invited to his house two lawyers, members of the Lower House, Whitelocke and Maynard, who belonged to the moderate party; they found there, besides some Parliamentary friends of Essex, such as Hollis and Stapleton, Loudon, the Chancellor of Scotland, who formally propounded the question whether an impeachment on this ground might not be laid against Cromwell. Whitelocke and Maynard remarked that the case must be well prepared beforehand, and striking proofs offered, the more so as Cromwell had the greater part of the Lower House on his side, and friends in the Upper House also. Hollis was confident of being able to carry the matter through. The Scots, who at the same time were obliged to consider their national position, stood aloof from the attempt.

Meanwhile Cromwell was preparing another and most unexpected blow at his powerful enemies. He referred to the universal dissatisfaction at the conduct of the war hitherto, which in spite of their undoubted superiority had led to nothing decisive: what was gained one day had been lost again on another; the victories of the summer served as subjects for evening talk in winter: this was their only advantage, all this blood had been shed, treasure spent, and land devastated in vain. All the world cried out against the dissensions and untrustworthiness of the generals, and complained of the arbitrary conduct of members of Parliament, even in civil offices.

Relying on this, Cromwell and his friends proposed, at first as usual through a man of minor importance, that henceforth no member of Parliament should hold a public office either in the conduct of the war or in the civil government. The proposal was recommended by the fact that it wore a religious aspect; it implied an abnegation of all the advantages which were usually connected with these posts: it appeared a point of conscience to assent. That some thorough change was necessary was the universal

[1] Whitelocke's Memorials 113.

opinion, because otherwise it was thought that the friends of peace in the country would agree to the proposals made by the King. The matter was so well prepared beforehand, that the proposition was accepted at the same sitting.

The Scots did not know what to think: they saw that now the contest between Manchester and Cromwell would be brought to an end once for all. Some admired the act as a proof of heroism, others saw in it audacity and danger. It is like a dream, exclaims Baillie; we cannot yet see the bottom of the affair.

It was at once plain that the Earl of Essex could no longer retain the command of the army. He had long had to contend against secret or avowed hostility in the Common Council and in the Lower House: he ascribed his last disasters in Cornwall to the hostile influence of his enemies in the Committee, but as yet he had held his ground. Even now he was not without friends in the Lower House, who proposed that an exception should be made in favour of the General-in-chief, with whom Parliament had once sworn to live and die; but they were in the minority. What could not be done by open attack, Cromwell attained, says Whitelocke, by a flank movement. Essex was included in a general ordinance, which every one had to obey.

Still the Upper House refused to accept the bill, on the ground that it had always been the right of the Lords to shed their blood for the lawful liberties of the country, and that by the terms of the protest and their assent to the Covenant they were more than ever pledged to this: if there were objections against individuals, let them be stated, and judged in the proper parliamentary fashion; but to exclude all by a resolution of Parliament was to punish individuals. Three times in succession they rejected the bill, but they had long ago begun to let the majority of the Commons lead them along a road which they did not fully approve; they had not strength for continued resistance.

There was in truth much to be said for the bill. A difficulty which had elsewhere been found in the conduct of war by a republic, encountered Parliament as soon as it gained independent power. The spirit of subordination, which is ne-

cessary to military discipline, did not come naturally to generals and officers who, being members of Parliament, shared in the possession and exercise of this power. Personal interests and the opposition of parliamentary factions had far too much influence on the position and behaviour of them all[1].

When the Lords gave way, they still hoped, in the course of the further discussions on the reconstruction of the army, to prevent its falling entirely into the hands of the Independents. They added to the proposals of the Commons a proviso that the officers and soldiers of the new model should promise to accept the Covenant and the Presbyterian system of church government. The Lower House however was not of the same opinion: it was objected, not without reason, that the church government was not yet fully established, not yet possessed of legal validity. In respect to the Covenant the Commons would only agree to a pledge for the officers, not for the privates, on the ground that this requirement would hinder recruiting. If however this condition was not passed, it was obvious that the separatist element in the army must become very powerful; for who from among the non-presbyterian population would take up arms against the King, except Independents and other separatists! The Lords had wished to make the nomination of officers depend on the choice of the two Houses, but this also they failed to carry: for nothing would so much conduce to the authority of the general to whom the command should be entrusted as the right of selecting his own officers.

Unquestionably military considerations contributed very materially to these resolutions. The soldiers were discontented with their leaders; even under Waller there had been one mutiny; now and then they talked of choosing their officers themselves. Moreover their pay had not been regularly distributed. Thorough and comprehensive arrangements were now made for this: contributions for this express purpose were exacted from the counties. If the troops were

[1] 'That the members of Parliament who are officers, being of equal power in Parliament, will not be so obedient to your commands as others who have smaller interests.' Speech of Whitelocke.

regularly paid, and kept under strict military discipline, a better result might be expected from the next campaign.

The Parliament selected as general Thomas Fairfax, who then had won a great reputation by the victory of Selby and his share in the battle of Marston Moor, a man whose stately appearance would impress the troops, pliant in council, but of unbending courage in battle. The transformation of the army was so thorough that the troops which were transferred out of the old army were distributed among the new companies and regiments: the traditions of the old associations were not to pass over into the new army.

It was still always held that the main question was as to the acceptance or rejection of the Uxbridge articles; but while the Royalist and Parliamentary parties were preparing to fight about it, elements in the latter grew into importance, which at once broke through their previous arrangements in military matters. Essex and Manchester, who hitherto had played the chief parts, now retired. Fairfax and Cromwell, the one with Presbyterian opinions already growing faint, the other of decidedly separatist and anti-Scottish views, appeared in the foreground.

CHAPTER V.

THE CAMPAIGN OF 1645.

THE King's whole soul was weary of these painful and fruitless negotiations: yet even in the parliamentary assembly which he had once more gathered round him at Oxford, a resumption of them was urged, and proposals suggested, which seemed to the King base and seditious. He breathed more freely when this assembly also was dismissed, and he expressed himself contemptuously about it: he saw with pleasure Wilmot and Percy, who at that time were labouring for peace, quit his neighbourhood, and go to France to the Queen's court [1].

He himself in the course of the discussions had not only strengthened himself in his own opinion, but came to lean more than ever in the other direction. He once told his wife, with whom he kept up continual deliberation as to the best course, that he was now determined, if he ever again obtained full possession of power, to repeal all penal laws against the Catholics, that if peace came it would be seen that he was the true friend of her friends, especially of the bishops, and that then he would take care, as she repeatedly urged, to get rid of this everlasting Parliament. It is clear that he meant to be thoroughly master.

Without being a born soldier or much of a general, Charles I had developed a taste for the camp. Military successes were the only ones which he had enjoyed for a long time: his victory over Essex filled him with a certain self-satisfaction. Always inclined to look on the favourable side of things, he

[1] To the Queen, 13 March. King's cabinet opened, No. 13: 'I being now freed from the place of base and mutinous motions, that is to say, our mongrel Parliament here.'

reckoned in the impending campaign on a new series of successes, worthy of the good cause for which he was fighting. The mysterious ground of his hopes is worth remarking. He fully believed that hitherto the unjust execution of the Earl of Strafford had been visited on him, and not only on him but also on his opponents, who were equally guilty, but that now the innocent blood shed by them only in the execution of Laud, for which they were solely responsible, would bring down the wrath of God upon them[1],—notions which accurately mark the character of the religious beliefs which then dominated men's minds; as though the secrets of divine things could be brought into such direct connexion with the complications of human affairs! Charles I lived in the conviction that he had committed a fault for which he was punished, but that he was the champion of a holy cause, to which God's help could never be wanting: if this did but abide with him half as effectually as in former years, he would have a successful campaign.

He expected that his Queen would supply him with money and even with military aid. The state of European affairs was then such that it seemed possible to gain for the cause of the English crown the assistance of Charles IV, Duke of Lorraine, who was ready to move in any direction, and who had gained military experience at the head of an army gathered by the sound of his name, but free from all territorial connexions, in France, Germany, and the Netherlands. The Queen took great trouble to induce him to assent, and, what was still more difficult, to supply him with the means. The King hoped to see him arrive in one of the ports which he still commanded, if not direct from France, from the Netherlands by the help of the Prince of Orange[2].

Finally the King had resolved to make offers of peace to the Catholic League, with the security of some temporary concessions; he reckoned on their acceptance, and also on help from Ireland.

[1] King's cabinet opened, No. 20. Cp. his letters of May 12 and 31 in Mrs. Green, of May 14 in Halliwell ii. 380.

[2] Bossuet mentions the affair in his funeral oration on Henrietta Maria. The details of the transaction are still unknown.

A.D. 1645.

In Scotland a powerful reaction was already in progress. Montrose, who had returned secretly and remained in concealment for a time, had suddenly raised the King's banner, as his representative, on the Grampian Hills. Irish troops, raised in Antrim, came to join him under Alexander Macdonald, called Colkitto, a man who made a great impression by his gigantic stature and desperate courage. Montrose formed his own army chiefly of Highlanders, whom he could not perhaps discipline, but knew how to manage according to their nature. He conducted the war not on strategical principles, but by sudden and weighty blows: the onset of his troops was compared to the rush of a suddenly swollen mountain stream, so unexpected, stormy, and irresistible was it: wherever he encountered the Covenanters, he gained the advantage. At the beginning of April 1645 he took Dundee: he then informed the King[1] that if he were supported by only 500 cavalry, he would in the course of the summer bring 20,000 foot-soldiers into England. At the very least the King might expect that the Scots would be too busy at home to be very dangerous to him in England. At the time he thought he had not much to fear from the Parliamentary army. It was the almost universal expectation that, deprived of its tried officers by the new model, it would stand trial even less than under Essex. And in fact its first undertakings had no special result[2]. Though the royal troops had been compelled to raise the siege of Taunton, yet it had been immediately renewed. It was assumed that the Parliament would seek at any cost to save a place so important for the western counties; which had all the more consequence, because the association uniting Cornwall and Devonshire was extended over Somerset and Dorset: the four counties undertook to put a considerable force in the field. At their request the King let the Prince of Wales, attended by some members of the Privy Council, take his place among them, while he

[1] King's cabinet opened, No. 11.

[2] The testimony of Sabran (20 April), 'Les forces du parlement ont beaucoup plus reçu que donné de l'échec,' may be set against the pamphlets of the Independents exaggerating their successes in the first movements of the campaign.

left his second son, the Duke of York, in Oxford, under the military tutelage of a trustworthy officer, William Legge, to defend the capital of Royalist England against eventual attack. According to ancient ideas the presence of the royal princes was a pledge of redoubled devotion. The King himself wished to remain free to take up a position in the midland counties, and advance thence either northwards or eastwards. He did not expect to conquer the powerful foe, but hoped to occupy him everywhere, and to succeed in bearing the royal banner victorious in England as in Scotland, and after a prosperous campaign to enjoy a good winter.

It cannot be denied that he had some grounds for this hope. He relied mainly on the Celtic elements in the British kingdom, not only in Scotland and Ireland, but in England also, where they had operated powerfully, at any rate in Cornwall. Leaning on this support, he called to his banner the elements of the English commonwealth which were allied to the monarchy and were threatened along with it. He was their champion against the tendencies hostile to him and them alike, which had arisen more powerfully in the British isles than ever in any other part of the Teutonic world. His hope was to achieve a settlement, in which the old prerogative of the crown, not without some limitation of the exclusive domination of Protestantism, should be combined with parliamentary privileges. Was this unattainable?

I do not know whether he had thought out the question fully. Hitherto the initiative in government had proceeded from the Crown, which had enjoyed the preponderance. But through the revolution of 1640 the dominant power had been transferred to the Parliament, which in most parts of the kingdom was now recognised: and the Parliament wished to retain this. The question was, who should henceforth enjoy the supreme power: and the sword must decide.

The decision came unexpectedly to all parties, suddenly and irrevocably. The King had saved Chester from an assault by the Parliamentary troops: without letting himself be delayed over the trifling enterprises which were suggested to him, he broke up his camp in May, 1645, his brave nephew Rupert by his side, to execute the plan before mentioned.

A.D. 1645.

Already at the end of the month they had an unexpected success: the strong town of Leicester fell into their hands. A battery planted by the Prince on the right spot made a breach; but the assault was checked by defences erected behind it, till the walls were scaled at two weaker points. All resistance was then in vain, and the town had to expiate by a terrible sack its Parliamentary leanings.

Scarcely ever has a success been so ruinous to the victorious troops as this conquest to the King and his army. At once all the energies of his opponents were directed against him. In London an attack on the eastern counties was feared, on the possession of which the general security depended. When at the same time there were rumours of threatened movements in Kent and of an attack on Dover, the feeling gained ground that they were on the eve of a catastrophe. The two Houses vied with each other in taking the necessary precautions. New levies were ordered in the city and the counties, proclamation of martial law in Kent, increase of the powers of the generals. The Common Council, not yet satisfied, requested that orders might be given to the army to advance immediately, in order to fight with the King, and especially to recover Leicester before he had fortified it.

Fairfax had not, as was expected, let himself be entangled with the Parliamentary army in the western counties, but had advanced towards Oxford, where he obtained, it is true, no successes[1] sufficient to cause any serious danger, but prevailed so far that the King was most urgently requested to come to the aid of his most important city, where the court still was, and especially of the ladies thus endangered, and above all of his son. He set his army in motion in this direction: but severe losses had been sustained in the storming of Leicester, and he was obliged, in the face of a refractory population, to leave a considerable garrison there: when the army appeared in the field it was seen to be too weak

[1] Sabran 12/22 June. 'Les sièges d'Oxford et de Borstall House ont peu duré et mal réussi: il en est revenu en une seule fois dimanche dernier 37 charettes de soldats blessés, et autres depuis.'

to cope with Fairfax. Charles begged the besieged not to trouble him, for that he would not let them fall into the enemy's hands, but he durst not stake all on the game like a madman. For the present he contented himself with sending them provisions and a portion of his troops. He himself stayed at Daventry, to await the return of this detachment, and the arrival of reinforcements from Devonshire and Wales.

The immediate staff of the King were divided in opinion as to the plan of the campaign. Prince Rupert would have liked to carry out the original scheme, and that by moving towards the northern counties. A considerable portion of the army consisted of horsemen who came from that quarter, chiefly Cavaliers, who desired nothing so much as to turn homewards. Rupert was convinced that Fairfax would not look on quietly, but would follow them, and so Oxford would be freed. On the other hand Lord Digby had directed his gaze towards Oxford, and held it to be necessary to go to the aid of the besieged in full strength[1]. Undoubtedly Rupert's opinion was more correct, and more suitable to the circumstances, especially because it could be executed immediately. While the King was inclining towards Digby's view (for was he not naturally above all things anxious for the liberation of his son?), and waiting for the reinforcements (as usual with serene temper, with no apprehensions for the future, and not without devoting himself in leisure hours to the pleasures of the chase), he gave his enemies time to come up against him with all their forces.

The troops before Oxford shared the feelings prevalent in London, and would not linger over a siege while the King was victorious in the field: and the Parliament readily granted their request. On June 11 we find Fairfax with his army near Northampton.

Another prayer which could only be granted by Parliament was preferred by the army. Cromwell, in spite of the Self-denying Ordinance, had been allowed by a Parliamentary resolution of May 10 to continue temporarily his military

[1] In a letter to Lord Jermyn, Digby mentions his 'advice to the King to have gone to Oxford from Daintry.' Warburton iii. 135.

A.D. 1645.

functions; the officers now requested that this man, in whom they had full confidence both political and military, might be appointed as their general of cavalry. Naturally the Lords, who had been excluded from the army by the Act, hesitated about conferring so important a post, in contravention of it, on their great opponent and rival. But their refusal was for the moment of no consequence: Cromwell's temporary commission was to last for forty days, and it was during this time that on June 13 he entered Fairfax's head-quarters, accompanied by some newly-raised squadrons of cavalry. The council of war was at once held, and Cromwell infused new fire into its resolutions: the trumpets were immediately blown, and all the soldiers assembled rejoicing around their leaders[1].

On the same day, at the news that the superior army of the Parliament was near, the King quitted Daventry—where the division that had been detached to Oxford had now joined him, but no other aid—to advance towards the north. But at the first halt, at Harborough, it was ascertained that the enemy was following close on the heels of the army, and was now encamped in their immediate neighbourhood. To encounter him was now absolutely necessary, for how could they possibly have allowed him to attack their rear while they advanced? In the council of war the only question was whether to await attack where they stood, or go in search of the enemy. Rupert was for awaiting attack, but the King decided the other way[2].

It is a popular tradition that the shade of Strafford rose that night before the King, and warned him against his purpose.

The danger of Charles I lay not in either one course or the other, but in the whole situation. He was now compelled to do what a few days before he had declined to do, fight a superior enemy with a weaker force, and under still more unfavourable conditions. The future of England was staked on this one cast: the decision of great and vital questions rested on the issue of an essentially unequal contest.

[1] Sprigge's England's Recovery 32. In Ludlow (Memoirs 151) things are related not without some confusion.

[2] Walker, Historical Discourses 129.

On June 14 the Royal army formed in order of battle a mile from Harborough. Lord Astley's infantry formed the centre, Prince Rupert with about 2000 horsemen the right wing, and Marmaduke Langdale with the Cavaliers of the north, who however were not altogether on good terms with him, the left wing. The King placed in reserve his own body-guard of horse and a regiment of foot.

Meanwhile the Parliamentary army was drawn up in rank and file on a similar rising ground near Naseby, but on the opposite slope, so that it could not be overlooked from a distance. Cromwell took charge of the right wing: the left he intrusted to his son-in-law Ireton: Fairfax and Skippon commanded the battalions of the centre. A reserve, considerable in proportion, was drawn up in the rear.

Without knowing the position and strength of the enemy, but aware of his propinquity, the Royal army was seized by its old thirst for battle, and began its march. Generals and soldiers were unanimous: any objection, however well founded, would have seemed a proof of cowardice[1]. Without being checked by slight obstacles, it reached the opposite hill and was climbing it, when the Parliamentary army appeared at the top in full order of battle. When the two forces looked one another in the face at this close proximity, they halted a moment, as if to take thought, before engaging. The infantry discharged their pieces once, and then met hand to hand with the sword and clubbed muskets. It was now shown that the newly-formed troops were not equal to more experienced ones; the Parliamentary infantry this time were decidedly worsted; their colours were seen to fall, some regiments dispersed and fled to Northampton[2]. So also the onset of Rupert's horsemen once more displayed irresistible strength: in spite of a skilful and not inefficient ambush of some of the enemy's dragoons behind neighbouring hedges, he overthrew

[1] Digby to Legge. 'So did your fate lead, as scarcely one of us did think of a queer objection, which after the ill success every child could light on.' This correspondence (Warburton iii. 127) gives the best insight. I combine the narrative of both parties.

[2] Sprigge: 'The colonels and officers endeavouring to keep their men from disorder, and finding their attempt fruitless therein.'

A.D. 1645.

Ireton's regiments, the commander of which was himself wounded and wellnigh captured. Still the success of the right wing and centre on this day was not decisive. The Parliamentary reserve could not be overcome by Rupert, but enabled the defeated horse and foot to rally at least partially, and the onset of the left wing of the Royal army was completely repulsed by the Parliamentary right under Cromwell. There was a moment during the battle when loss and gain were about equal on each side. Cromwell himself, it is related, was engaged in single combat with a Royalist general, exchanged blows and shots with him, and actually lost his helmet: then taking another, which was offered him, and putting it on the wrong way, defended himself with bravery and success against his adversary.

It was a battle of the old style, in which fire-arms had scarcely any effect: they measured their strength man to man, on horseback as well as on foot. The superiority of the Royalists extended to the infantry, since they had no longer the old city regiments before them: but the cavalry, formed from the freeholders of the associated counties, opposed them with unusual vigour.

When forces are tolerably equal, and not numerous altogether, a reinforcement to one side, trifling in itself, will usually produce decisive effect. A splendid regiment of horse that Colonel Rossiter brought up at the right moment[1], joined the wing commanded by Cromwell, who was opposed to the least well-compacted corps of the Royalists, and had already gained the advantage: when after a short halt he renewed the attack on Langdale's division, which he now could assail on the flank also, he soon mastered it, and drove it before him in headlong flight. Thereupon Rupert, who had been shamefully repulsed by the reserve, hastened back, to prevent the King from being endangered by the change of fortune. At the same moment Ireton was set free, and could again appear on the battle-field with a portion of his troops. The defeated Parliamentary infantry that had rallied again, united with a portion of the cavalry for an attack on the

[1] Wogan: 'Rossiter's horse that came to us at that present.'

hitherto victorious Royal battalions. These defended themselves, like the Spanish infantry at Rocroy about the same time, according to the expression of a hostile report, 'with incredible valour and most steadfastly.' But being deprived of the usual protection from their cavalry, and attacked on all sides, both by horse and foot, these troops saw at last that further resistance would be their destruction: they could no longer be brought to face the enemy, but laid down their arms under the condition, which was very unwillingly granted, that no plundering of individuals should be allowed [1].

The King, who had with difficulty been prevented from plunging into the mêlée, had to abandon the field to the rebels. He re-entered Leicester in retreat that resembled flight, after immense loss. He had sustained a most ruinous defeat, his main army was annihilated, the terror of his arms lost: the Parliamentary army had gained an unequalled victory.

Charles I however was still very far from giving up his cause as lost. He moved into the counties in which from the first he had found most support, and which still seemed willing to stand by him. 'A better reception,' he writes from Hereford, 'I could not have found, if I had arrived after gaining a victory: I hope soon to replace my losses with interest.' He believed that a considerable army might still be raised in Wales, from whence Gerrard met him with a couple of thousand men: the gentry of South Wales, who assembled at Abergavenny around him, gave him the best assurances on this head. New preparations began, and the Marquis of Worcester gave him as hospitable and splendid a reception in Raglan Castle, as though he were reigning in full authority and peace. Moreover there was a force in the associated western counties, which were in full tide of resistance. General Goring had 5000 foot and 4000 horse under his command: every day he hoped to become master of Taunton, where a Parliamentary garrison still held out.

But the superiority of the Parliamentary army was soon to be exhibited in these regions also. Victory had completed their

[1] Wogan: 'Seeing all their horse beaten out of the field, and surrounded with our horse and foot, they laid down their arms with condition not to be plundered.'

A.D. 1645.

organisation: it gave them self-reliance and confidence in their leaders[1]. After taking Leicester with its military magazines—a conquest which the inhabitants regarded as a deliverance—they moved towards the united western counties. At the passage of Langport, Goring placed himself in their way: but the Parliamentary army developed such complete superiority by the bravery of its cavalry and the skilful use of artillery, that Goring, after one repulse, no longer ventured to encounter it even with superior numbers. The fortresses which had been deemed impregnable fell one after the other before the assaults of Cromwell. By the middle of August the strong places captured or relieved, Lyme, Sherborne, Langport, Taunton, Bridgewater, formed a line which virtually cut off Devonshire and Cornwall from the rest of England. Colonel Poyntz pressed into South Wales and instantly stopped the attempts to form a new army there.

The dimensions to which the Royalist forces were reduced were already very small, and their chance of success very slight, when a misunderstanding took place within the party which utterly disintegrated it.

It must be reckoned an important event in the King's life that at Naseby a part of his papers fell into the hands of the victors. Fairfax sent them to the Lower House, which communicated them to the Lords and to the Common Council, and ordered a selection of them to be printed forthwith[2]. These were the original drafts of the letters of Charles I to his wife, and her answers, and instructions for Uxbridge and Ireland: some papers seized elsewhere were added to these, together with a preface and an appendix which declared their authenticity and commented on their contents. Nothing could have happened more opportunely for the anti-royalist tendencies. The King's determination to give way on neither of the main questions, and his last-formed purpose of drawing nearer to the Catholics, were brought into the full light of day. He could now be reproached with offering toleration to the idolatry of the

[1] Clarendon iv. 48 (edition of 1849) himself remarks on this battle that the capacity to rally after being beaten disclosed the better discipline which had been introduced by Fairfax and Cromwell.

[2] Journals of Commons, 23 June—7 July.

Papists, and indemnity to the blood-stained Irish; of invoking the aid of foreign powers and princes for the destruction of English liberties and of Protestantism. The publication of course produced a great impression even on the King's own friends. They saw now that the King, in opposition to his own Oxford Parliament, had preferred war to the continuance of the negotiations. At the very moment when arms offered no further hope this double disagreement broke out. The conviction everywhere gained ground that the King must submit further and more irrevocably than he seemed inclined to do. A negotiation was entered into between the members of the Privy Council in attendance on the Prince of Wales and the peacefully-inclined members of Parliament, arising out of the wish of both to help one another to a compromise. In the same direction went the views of the leading men in the united western counties, which were at the time of great weight from the independent character of the movement there.

This was exactly the constitutional standpoint which the Clubmen, who just then suddenly appeared in various places, sought to attain. They were the inhabitants of the counties who declined any longer to allow themselves to be violently treated and plundered, first by one party and then by the other. Assembling at their own will, with any weapons that came to hand, even clubs, from which they got their name, with the intention merely of resisting at every point where defence was possible the violence of the soldiery, they at once proceeded to a general manifesto: they most urgently demanded a truce between the King and the Parliament, and a renewal of the peace negotiations, for which purpose they would send delegates to both sides. They opposed the Royalist soldiery as well as the Parliamentarians, but on the whole were of moderate Royalist opinions. Fairfax treated them as enemies, but Prince Rupert entered into alliance with them: for the Prince was now himself inclined to a compromise. From Bristol, where he had taken the command, he sent word to the King that for the rescue of his crown, his posterity, and the nobility of the country, there was nothing left but to make a treaty: he urged that it would be better to save part than to lose the whole.

A.D. 1645.

King Charles I was at this moment as fully aware as any one else of the desperate state of his circumstances: at the beginning of August he arranged that, if danger pressed, his son should fly to France, for it was now necessary to prepare for the worst. For himself he adhered to his resolution not to give way a foot's breadth. His was a nature which is not bent but steeled by adversity. At this time he wrote to his secretary in calm but strong language, that with God's help he would never either abandon the Church to another form of government, or rob the crown of the authority which his ancestors had transmitted to him, or forsake his friends [1]. To Prince Rupert he replied that, as for his advice, as soldier and statesman he might perhaps approve it, as Christian he must reject it; whatever afflictions God might ever visit him with, he durst not abandon a cause which was that of God. He believes that in the end it will triumph, but for himself he has no such hope: all that is left him is to die with honour and a good conscience. In fact, he dares not reckon on success, but only on this, that God will hereafter avenge his cause. To those who will stand by him he must say that they have nothing to expect except death for the good cause, or a life made miserable by the oppression of the rebels [2]. His words imply the consciousness of a duty independent of accidental circumstances, transcending the complications of the moment, of great importance for the future of England, and highminded in themselves, if a prince can be called highminded, who, conscious of impending ruin, shows himself determined not to yield a hair's-breadth. But they were not calculated to hold together or to strengthen his party: they died away without effect. To offer men ruin and endless troubles as the reward of their devotion is not the way to

[1] To Nicholas, 25 Aug. 1645. 'Let my condition be never so low, I resolve by the grace of God never to yield up this church to the government of papists, presbyterians, or independents, nor to injure my successors by lessening the crown of that ecclesiastical and military power which my predecessors left me, nor to forsake my friends.'

[2] 'Who took the occasion to write the ensuing letter to the prince with his own hand, which was so lively an expression of his own soul.' Clarendon, Hist. iv. 679.

win them. Who would join the King's cause with any pleasure when he himself treated it as lost? Men saw in his expressions only one proof more of his invincible obstinacy.

When Prince Rupert came to England to fight for his uncle, he had also the idea of gaining a princely establishment for himself: to expose himself to ruin for the English Church was not at all in his mind. He had already been put out of humour by the King's rejection of his proposal, when he received from the Parliamentary army that was besieging him in Bristol, after he had made one or two fruitless sorties, a summons which in form was well calculated to make an impression upon him. It was at the same time a warning, reminding him that the Parliamentary party against which he was in arms, was the very one which had always sought to help the Palatine family, and had expended blood and money for it; that he need not think the crown was at stake, for that would remain where it must be, but that the contest now was merely between the Parliament, the King's great council, and his actual evil advisers; that the party which he was now defending was the one which had always opposed the interests of his family. They referred to Digby, who had quarrelled with the Prince at Naseby, and had since kindled the flame of contention all the more eagerly because he thus kept away the King, who cherished the design of going with the Prince to Bristol, from fear of there losing all his influence. If Rupert now gave ear to the summons, there were military reasons to justify him, for one of the protecting forts had fallen already into the enemy's hands: but still there is no doubt that political motives co-operated. It had been thought that he would fight to the death: he had promised to hold Bristol three months: that he should surrender in the third week, before any extreme necessity arose, excited general astonishment, and caused the most painful emotion in the King, who was just preparing to attempt a relief with a small flying force which he had assembled and some help which he expected from Goring. He thought he perceived that Rupert was guided by counsellors of corrupt heart. If his own relations treated him

thus, what was he to expect from strangers? Of all the calamities with which he had been visited, none, he said, had grieved him more deeply.

Under the influence of Digby, who seized the favourable moment for ruining his rival entirely—for even after the loss of power jealousy is wont to linger in princely courts—Prince Rupert was declared to be deprived of the high military authority he enjoyed, and of all his offices: his passports were also sent him with the insulting explanation that henceforth he might seek his subsistence on the Continent. The Prince received his dismissal under the counter-signature of Lord Digby, whom he regarded as the author of his disgrace and his mortal enemy. At the same time his best friend and political and military associate, William Legge, was removed from his government at Oxford. The fall of Bristol was the moment at which the party of the statesmen about the King obtained the upper hand of the military men. The soldiers were not minded to submit: professional feeling was aroused, and most of them made the Prince's cause their own.

But apart from this, just as the capture of Bristol had once been a decisive advantage, so now the loss of that place with all its stores was an indescribable misfortune. Even in the most devoted provinces, for instance in Wales, the opponents of the King at once appeared in strength.

Charles I was a prey to the most painful hesitation: his purposes vacillated between opposite possibilities. At one time it seemed to him advisable to retire to Anglesey, which could be defended during the winter, or, if necessary, still further to the Isle of Man, finally to Ireland: only it seemed to him dishonourable for a king to make his escape in this wise. Then the events in Scotland, where Montrose had won a great victory, invited him thither. Montrose, on his march towards the English frontier, found himself threatened at once by the Parliamentary army which was following him, and by the neighbouring lords who raised their districts against him. Without much hesitation he threw himself on the army, though perhaps a third stronger than his force, and supported mainly by the brave old Lord Airly (who was more than eighty years old when he took part in the battle),

and by another Ogilvy who had learned war under Gustavus Adolphus, he completely routed them (at Kilsyth, August 15). Thereupon Glasgow fell into his hands; Edinburgh begged for mercy: he appeared as master in that country. Under the influence of these tidings, and being pressed on all sides, the King determined[1] to cut his way through to the army which bore his standard victorious in the field. He wished to try the way to Scotland past Chester through Lancashire and Cumberland. He arrived at Chester at the right time to prevent the capture of the place; but in the open field his troops could not be induced to face the enemy: from the ramparts he witnessed their defeat. Not without a hope of opening himself a way through Yorkshire, he betook himself to Newark, the least endangered of the places he still held. Meanwhile Montrose had been defeated: he in his turn could not withstand the regular troops which David Lesley brought against him from England, and at Philiphaugh, near the border, he was surprised and beaten. The King knew this well, but at the rumour that Montrose had again gained an advantage, he once more resolved to make the attempt. After some days' march he ascertained that the news was false, and that Montrose had fled to the Highlands. Digby could not be dissuaded from proceeding with part of the troops, less in the hope of achieving anything (for his friends had already been dispersed), than to avoid returning to Newark. The King returned there alone with the rest of his forces.

He had terrible scenes to endure there among his own immediate following. Digby had departed because he would not meet Prince Rupert[2], who, though he did not refuse to quit England, wished first to clear his military honour and justify himself in the King's eyes. He asked to be brought before a court-martial, which acquitted him of all the slanderous charges brought against him on account of his conduct at Bristol. In the same degree in which the

[1] Walker's Historical Discourses 139: 'In order to attempt to get to Montrose, whom we then believed master of Scotland.'

[2] 'The king and I had long before concluded it most for his service that I should absent myself for some time.' Letter to Hyde, Harley MS. T. V. 566.

soldiers by profession showed their sympathy with the Prince, they exhibited also their indignation against Digby, by whose attacks they felt their military honour injured. The fact that at this very time Willis, the Governor of Newark, one of the Prince's warmest supporters, was removed from his post, seemed to them to prove that the King would always be governed by Digby's advice: and their displeasure was fanned into flame. Rupert, Willis, and Gerrard so completely lost sight of their respect for the prince for whose authority they had hitherto fought, that they forced their way into his presence to make, we cannot say representations, but accusations against him. With his arms akimbo, displeasure in every feature, Rupert strode close up to the King, who was sitting at his supper. The King rose and retired into a window with the three generals to ascertain their business. Willis complained of the dishonour done him by publishing his dismissal, and demanded public satisfaction. Rupert observed that Willis was unjustly treated for being his friend. Gerrard attacked Digby; by whom he had been removed from his command in Wales: both he and the two others pointed to Digby as the author of all disorders: they declared that it was not the King who governed, but Digby through him. The King asked whether a rebel could say anything worse; and in fact it was the severest accusation that had been brought against him for five years. Nephew, said the King, this is a matter of serious import. Rupert referred to the events at Bristol, in consequence of which he had been subjected to false accusations. Nephew, said the King: he would have said more, but the words died on his lips. The Prince gave no sign of respect: with his arms akimbo, as he had entered, so he quitted the King's presence [1].

All the sources of help on which the King had reckoned

[1] Symonds's Diary 268. The best passage in the little book, had it not been subsequently mutilated and never completed. Walker is here also the most trustworthy witness. What the English journals contain is derived from exaggerated hearsay. The notice in Disraeli v, derived from Bellasis' Memoirs, cannot be reconciled with the facts known from other sources, for instance about the passports.

in the spring now failed him. A treaty with the Irish Catholics was concluded through an emissary, originally instructed to refer to the Viceroy, but subsequently intrusted with full powers, upon conditions which could not be openly avowed—one of the stratagems of Charles I, which drove to despair his ministers who knew nothing about it, and were ruinous to himself [1]. The document fell into the hands of the London Committee: instead of benefiting the King, the treaty served thoroughly to prejudice the English nation against him.

The French were so fully occupied with the war in Germany, the Duke of Lorraine with the attempt to recover his hereditary dominions, that they could give the King no help. If Charles had thought of cutting his way into Scotland, it was merely because he saw no safety in England. At this moment too, the quarrels which had long disturbed his court broke out violently: the authority exercised by a minister who was no longer with him, was made a personal charge against himself: the boldest champions of his cause abandoned it. He was fortunate in being able to return with a small company to Oxford, where for the moment he gathered a kind of court about him.

Meanwhile the Parliamentary army had thoroughly mastered the Clubmen. In every province a decree of Parliament was published, which declared it treason for an armed body of men to assemble anywhere without permission.

There was no longer anything to oppose the army, which was everywhere victorious, except the armed force of Devonshire and Cornwall. But quarrels similar to that between Digby and Rupert had broken out between the Privy Council which surrounded the Prince of Wales, and the military commanders. General Goring, who loved to relieve his military duties with drinking bouts and play, wanted to be virtually independent in the conduct of the war, and especially to take no orders from the Prince's counsellors. He had already obtained from the King instructions to the Privy Council to let him, as the general, take part in their deliberations: when this was

[1] Lingard, who here follows special information, x. Note B; Macgregor, History of the British Empire ii. note b.

A.D. 1645.

not done, Goring imputed every disaster that happened to the members of the council. In view of the growing strength of the enemy, he desired to be subordinate to the Prince only, and sought to confine within narrow limits the influence of civil officers over the army; no officer's commission should be signed without his knowledge, no movement of the army ordered without the officers' concurrence. This not being granted he formed the rash resolve—for steadiness and perseverance were not the qualities for which he was distinguished—of abandoning the cause he served and retiring to France. The same spirit was displayed also in the militia. No one among the natives was so active and conspicuous as Richard Grenville, High Sheriff of Devon, who levied troops on his own account, and imposed contributions which he expended for their support. In consequence of his independent action he also quarrelled with the government; at times the troops raised by him refused to obey the generals appointed in the King's name. How was an energetic and orderly conduct of the war to be thought of? It came at last to this, that Grenville was imprisoned by the Privy Council.

If the most general reason for the King's disasters be sought, it will be found in this hostility between the holders of civil and military power. He himself could not master it, far less could the Prince of Wales be expected to do so: whereas on the side of the Parliament the military tendencies were entirely supreme, and carried away with them all energies of another kind; no other will could oppose them.

There was still a general of reputation and talent, Lord Hopton, who undertook the control of the army in concert with the Privy Councillors who formed the Prince's government: but, as he said, he did it only from a sense of duty, for no honour was to be gained. On his banner were inscribed the words 'I will strive my King to serve': he would obey, he said, even at the risk of his good name. Under his command the forces of the western counties once more measured their strength with the Parliamentarians, at the well-fortified pass of Torrington, and here offered some resistance; but the superiority of the Parliamentary foot over the Royalists was so decisive that the latter did not

hold their ground very courageously. At the end of February Fairfax advanced into Cornwall. On March 2 the Prince, no longer safe in Pendennis, where he had been staying, embarked with his counsellors in a vessel which took them to the Scilly Islands. A considerable body of horsemen was still united under Hopton. But already every man was possessed by a conviction that all they did was in vain. The service was very carelessly performed. In a council of war the officers declared to the general that their men could no longer be brought to face the enemy: they told him frankly that unless he began negotiations they should proceed to do so without him. The troops themselves actually began: at the first encounter of the advanced guards in the neighbourhood of Probus, the Royalists cried out 'Truce, truce!' they entered upon it before it was concluded[1]. After brief conferences a capitulation was arranged (March 14) in accordance with which Hopton's brigades,—there were nine of them,—were disbanded one after the other. The King's cavalry had to surrender their arms at the very place where formerly Essex's foot had done the same[2]. Most of the troops declared themselves ready to go to Ireland and fight there for the Parliament, without paying any attention to the counter-orders of the King. The superiority of the Parliamentary army was combined with a sort of voluntary disbanding of the Royalist forces. The forts and castles which were still in their hands went over one by one.

At the beginning of April even Exeter capitulated: the Parliamentary army advanced towards Oxford, where there seemed nothing left for the King but to surrender. The war was virtually over. The attempt of Charles I to wrest back by force of arms from the Parliament the power which it had acquired had broken down.

This conclusion was exactly contrary to the results of the analogous undertaking of Henry IV in France. Henry IV had conquered the capital and the country, set aside the

[1] Sprigge 213. Instead of asking they acted a cessation.

[2] From a report of Montereuil, March 19, it appears that Fairfax remarked on this 'avec peu d'obligeance pour le comte d'Essex.' Clarendon Papers ii. 218.

A.D. 1645.

Estates, and laid the foundations for that royal power on which it was possible to raise the proudest monarchy of modern times. In England the forces which the King and his adherents could command were defeated in the country and crushed; the supreme authority was in the hands of the Parliament, with which the capital had hitherto been always in perfect accord.

BOOK X.

INDEPENDENTS AND PRESBYTERIANS.

FATE OF THE KING.

If the war between the King and Parliament could be regarded as at an end, the controversy between them was by no means concluded. The King in spite of his defeat maintained the position which he had taken up on quitting London; he was as firm in it as ever. So far as the pacification of the country depended on an understanding of the King with Parliament, not a step had been gained; the questions had rather grown more complicated through the course of events. The people, crying for peace, would undoubtedly have been contented with the restoration of a Parliamentary régime without the abasement of the royal power. But in the tumult of violence and faction how could moderate wishes have had any chance even of full expression, to say nothing of being carried out? The men who gave the tone to the Lower House required of the crown a sort of renunciation of the military authority, which was opposed to the ancient notions of the monarchy. They deemed themselves compelled for their own sakes to persist. But it was not the strength of Parliament alone which had prevailed over the King. The great change to his disadvantage had been wrought by the Scots, the last blow in the field and his ruin by the Independents: and these victorious allies had their own objects and sought to gain them. The Scots desired the uprooting of the episcopal system; their last alliance with England was founded on the assent to this demand. The Independents meditated new forms in both Church and State. They vehemently opposed the Scottish system, and sought to alienate Parliament from it, and bring it over to their own ideas.

How the cause of the King and his fate should be decided was an element in the intestine strife between the parties: it depended mainly on whether the Presbyterians or the Independents gained the upper hand.

CHAPTER I.

FLIGHT OF THE KING TO THE SCOTS.

In the realm of those ideas, which constitute the western world by their connexion and shake it by their strife, the Independents exhibit views in relation to both religious and political government which, if not entirely new, yet acquired general influence first through them. Religion by its nature aims at a world-embracing community of doctrine and life—an idea on which all great hierarchies are founded, including the Papacy. As the Reformation movement arose chiefly from the oppression which the carrying out of religious unity in a stringent form exerted over single kingdoms and states, it led directly to national unions,—national churches, which no doubt were founded on a creed that claimed universal acceptation, but whose authority could never extend beyond mere provincial limits. Among the formations of this kind the two most strongly organised are doubtless those which were established in Great Britain. We know to what far-reaching contests their opposition led, shaking not merely men's minds, but the very government of the two countries.

The Independents appeared on the frontiers of the Anglican and Scottish Presbyterian Churches just at the outbreak of their quarrel. The faithful, who when oppressed by Laud at first fled before him to the Continent or emigrated to America, now held together in congregations, which through the closer spiritual union of their members satisfied their need of common religious feeling. Something similar took place in Ireland, in the colonies planted there by the Scots, when Strafford tried to subject them to the yoke of Canterbury. But the Congregationalists who then returned to Scotland did not

again join the national Presbyterian Church. They assisted gladly and efficiently in defeating the power of the bishops—first in Scotland and then in England, where they united with all the other separatists who had been held down by Laud, but never crushed: but at all times they persisted in trying to carry out their own views. They not only opposed on principle the influence of the State over the Church, but rejected the national as well as the universal hierarchy, the General Assembly of the Scots as well as the English Convocation. They admitted only a brotherly influence of the churches over each other, consistent with co-ordinate authority: the right to decide for the community they would acknowledge only in the assembled congregation itself. In their system the difference between clergy and laity vanished entirely, for they had no objection to laymen preaching.

As they had taken part in the great war against the bishops on the assumption that after victory they would be free from all religious oppression, and had contributed perhaps the most powerfully of all to the decision by their influence over the city populations, they regarded it as a hateful injustice that the Presbyterians refused them toleration. The last act of union was in a certain sense a declaration of war against the Independents, who in consequence took no share in the Assembly of Divines.

With these ecclesiastical efforts were connected tendencies both intellectual and political, allied to them by internal analogy. The most important and most complete expression of them we find in Milton. Without having himself had any direct share in the religious changes, Milton advocated the rights of the human spirit in its individual character. He attacked the censorship of the press, which the Presbyterians most strictly exercised, in a pamphlet [1] which must be ranked as high in the literature of pamphlets as any of Luther's popular writings, or the Provincial Letters of Pascal. It must be reckoned as the most eloquent and powerful of all pleas for the liberty of the press: the natural claim of the truth-

[1] Areopagitica. Milton's Prose Works ii. 48.

seeking spirit to unchecked utterance is fully recognised in it. Milton is all the more urgent on the subject because he sees his own people inspired with an energy which presses forwards in all directions and is striking out new paths. She sees the light, says he; waking up from sleep she shakes her locks filled with the strength of Samson. And this is the moment at which men would oppress her with old restrictions, and invoke against her the power of the State: as though it were possible in great convulsions to escape a confused variety of new opinions—as though it were not the worst of all opinions to refuse to hear anything but what is pleasing. And they dare to denounce as heretics men who for their lives and faith, for their learning and pure intents, merit the very highest esteem.

In similar contrast, and in fact on the basis of the principle already adopted, appeared also political views of the widest scope. It was declared a crying inconsistency that the Scots, after denouncing their King from the pulpit and taking up arms against him, should still acknowledge him and seek to restore his power. Milton would not hear of the combination of national sovereignty with divine right, which formed the basis of the Scottish system, and which floated also before the eyes of the Presbyterians in England. If the crown were of divine right, no treaty with it would be possible, for in that case the entire power of the State would belong to the King. But men are born free, they are the image of God: authority is conferred on one for the sake of order, but the prince is not only not the lord of the rest, he is their deputy: the magistrate is above the people, but the law is above the magistrate. Milton did not hesitate to maintain that the victory won over the King in the struggle necessarily led to his fall, to a change of government and of the laws.

With these views coincided the theories expressed by Henry Vane, who was then perhaps the most conspicuous leader in parliamentary affairs. He admitted that the supreme power was of divine right, and obedience to it an indispensable duty; but it depended on the people whether or not they would commit it to an individual, and on what

conditions[1]. Since now the King had transgressed the conditions imposed on him, and had been conquered in the war which broke out in consequence, the people was in no way bound to revert to the old form of government, but entered on the possession of its original freedom: for the same end for which the old government had been established they might now abolish it, according to the idea of justice which was originally implanted in man, and is interwoven with his being. The republic was not yet directly pointed out as the ideal form of government, but the right was claimed of resorting to it at pleasure.

Never did these ideas find ground better prepared to receive them, or more ready acceptance, than in the army, which from the first had been formed on corresponding principles. In the time of Manchester, who allowed it from forbearance, the separatists who desired to take military service gathered by preference round Cromwell, whose object it was to lead into the field men of decided opinions[2]. His soldiers should be as incapable of looking behind them as himself,—he actually made it an accusation against the Lords that they were too prudent. These views were now confirmed by success. The Independents and other separatists had done the best work in the open field, as in the city disturbances. They laughed at the Scots and their moderation, which they held to be mere hypocrisy, a mask from behind which to bring England under their sway. For if it was allowable to make war against the King, it was lawful to overthrow him, to imprison and put him to death. How astonished were the Presbyterian preachers who followed Cromwell's camp at the anti-

[1] 'The power which is directive and states and ascertains the morality of the rule for obedience, is in the law of God: but the original, whence all just power arises, which is magistratical and coercitive, is from the will or free gift of the people who may either keep the power in themselves, or give up their subjection and will in the hand of another.' (Vane, The People's Case Stated.)

[2] Baillie, September 16, 1644. 'Manchester a sweet meek man permitted his lieutenant Ol. Cromwell to guide all the army at his pleasure—being a known independent, the most of the Sojours (soldiers) who loved new wayes put themselves under his command.' 20 October: 'All sectaries who pleased to be sojours, for a long time casting themselves from all the other, arrived under his command in one bodie.'

royalist and destructive spirit which prevailed in it[1]. Charles I was regarded merely as the successor of William the Conqueror, who had made his generals into lords, and his captains into knights, the ancestors of the nobility and gentry still subsisting: but all this had been founded on the right of the sword, and might again be reversed by the same right. They felt like successors of the Anglo-Saxon population, again after long oppression regaining the upper hand. Theoretically and historically they considered themselves justified in overturning the existing State and founding a new one.

We may observe the stages of the intentions which in this contest were successively exhibited. At first it was only intended to restore the full efficiency of the Parliamentary régime: the elections in the autumn of 1640 were held with this in view. But the Parliament when it assembled raised claims which would have given it unconditional preponderance, a kind of political and military omnipotence. The Scots and the Parliamentary leaders in concert with them added the demand for the subjection of the King to a Presbyterian system. As a fourth step, the Independents rejected this form also, and entirely disowned obedience to the King.

Nor were these in any sense empty theories: the Independents had actually gained a power which was only limited by the power of their opponents, who were the King's enemies also. It is asserted that on the publication of the King's letters captured at Naseby, which were read everywhere throughout the country, they intended to induce the people to demand his deposition, and upon this, it was further planned to declare Charles I unfit to reign, and to make the Earl of Northumberland, whom they hoped to carry with them, Protector of the realm: in this way they would have given a new form to the kingdom[2].

They could not however reckon on the assent of the English people. In the counties Episcopalian sympathies prevailed: in the capital Presbyterian opinions, in direct opposition

[1] Reliquae Baxterianae 50.

[2] So Lord Holland told the French minister Montereuil: 'ils avoient disposé des séditieux aux lieux où la lecture s'en devait faire, avec ordre de porter le peuple à la demande de la déposition de leur roi.'

to the Independents, were generally accepted. For while the extravagances into which the sects fell, appearing in various forms one after the other, necessarily offended those who did not belong to them, the Presbyterian preachers, after it came to an open breach in the Assembly, distinctly attacked the Independents from the pulpit; and they were still by far the more powerful. The common people, sure of their faith, desired the Presbyterian forms, stringent church discipline, even excommunication, and rejected toleration. The elections to the Common Council had hitherto been conducted on an understanding between the Presbyterians and the separatists, but at the end of the year 1645 Presbyterianism was dominant and the sectarians were excluded. In January 1646 a fast day was held in the city, at which the Covenant was renewed with signature and oath. The next day the Mayor, Aldermen, and Common Council presented a petition to Parliament for the carrying out of church government in the Scottish fashion, conformably to the Covenant.

In Parliament these views were not predominant, as may be inferred from the fact that Henry Martin (who had been the first to express decidedly anti-royalist sentiments—he had said that it was better for one family to perish than many—and had in consequence been driven from Parliament) in January 1646 ventured to return thither. But there was still a considerable Presbyterian party in the Lower House, which had been not a little strengthened by the result of the supplementary elections held in the autumn of 1645[1]. In the Upper House the Lords, who saw themselves slighted by the transformation of the army, were inclined the same way: both foresaw their own ruin if the Independents became entirely masters. Still they calculated on being able to withstand them: they had on their side the words of the treaties, and the interests of the Scots, against whom the Independents were specially hostile. The Scots greeted the manifestation in the city with indescribable satisfaction: the Scottish Parliament entered into direct communication with it; for the English Parliament, it was said, notoriously can do nothing without the capital.

[1] Memoirs of Denzil Lord Hollis, in Maseres i. 207.

One of the Scottish clergy exclaimed, that after God he relied most on the capital of England.

But while a numerous party in Parliament, the city, and the Scots were united against the Independents, who on their side were equally well represented in Parliament, and controlled the army, men's eyes turned back to the King in a new fashion. Although without any practical power, the King could still, through the authority of his name, which operated as a seal of legality, throw into the scale a considerable weight in favour of the party which he supported.

But how, it will be asked, could he possibly think of drawing nearer to the Independent party, which was as anti-royalist as it could be? A letter sent from Oxford to Henry Vane in March 1646, with the King's knowledge, to a certain extent explains this [1]. It sought to convince him that he would gain nothing by totally overthrowing the King: the sole result would be the ruin of England at home and abroad. The King wished at that time to come to London, in order to deal in person with the Parliament. After his appeal to arms had failed, he thought that he should be able to return to much the same relations as had subsisted before he quitted Whitehall in the beginning of 1642. The most difficult point of the negotiations to be expected obviously lay in the Covenanting demands of the Presbyterians in league with Scotland; and in order to have any support against them, the King needed the aid of the Independents. He appears to have believed that their chief object was to obtain religious independence for their congregations; and this should be for ever assured through his authority; in alliance with them he would establish freedom of conscience for them and for himself [2]. And though they had once formed a league with the Presbyterians against the

[1] Copies of two letters sent to the Independent party by H. M's command. Clarendon Papers ii. 226. The first begins 'You cannot suppose the work is done, though God should suffer you to destroy the King.'

[2] 'If Presbytery shall be so strongly insisted upon as that there can be no peace without it, you shall certainly have all the power my master can make to join with you in rooting out of this kingdom that tyrannical government, with this condition, that my master may not have his conscience disturbed, yours being free when the work is finished.'

Episcopalian system, they now seemed not averse to enter into a similar one with the King against the Presbyterians. There were Independent influences at work about the King and even about the Queen. With the latter they were furthered chiefly by Percy, brother of the Earl of Northumberland. The Scots and Presbyterians were so much alarmed that they claimed the influence of the French government with the Queen on their behalf.

We return to the dealings of the French government with English affairs. The troubles in England had been of indescribable advantage to France, by allowing her free scope on the Continent: during this period the French in alliance with Sweden had done serious mischief to the strength of the house of Austria in Germany, and through the risings in Portugal and Catalonia, to the Spanish monarchy also: their power at this moment girdled the world. After long hesitation, and as a last resource against utter destruction, Charles I and his consort offered to the French court an offensive and defensive alliance; and Mazarin, who now governed the Regent in relation to foreign affairs as completely as ever Richelieu had done, was inclined to assent: but he would not take part with Charles I in his domestic affairs; he had recalled one of the plenipotentiaries sent to England, Grecy, because he had connected himself too closely with the King, and awakened mistrust of France in Parliament. When he sent over Sabran, with whom we are acquainted, in the spring of 1644, he instructed him before making any further league with the King to bring about a reconciliation between him and the Parliament, on the supposition that the equilibrium between the two, on which the due observance of the laws depended, would thus be maintained. He was to support the just claims of Charles I, but was not to help to make him monarch and lord of England [1].

Charles I had never any sympathy with Spain: the house

[1] Instruction à M. de Sabran, 29 Août, 1644: 'Le favoriser en tout pour rétablir la légitime autorité, sans pourtant paroître de vouloir élever la puissance si haut, que le roi deviendroit seigneur et monarque de l'Angleterre, où les loix faisant contrepoids à la trop grande puissance des rois doivent être maintenues en leur entier pour apaiser les esprits et assoupir les troubles.'

of Braganza, under which Portugal was separated from the Spanish monarchy, found support from him, and sought, like the house of Orange, to obtain through him a dynastic alliance: the Portuguese ambassador managed his correspondence with his wife. Still it appeared to the French that in the struggle between France and Spain he leant rather to the Spanish side: they mistrusted the presence in his council of Bristol and Digby, who had long been known as representatives of the Spanish interest. All the less were they disposed to contribute to the full restoration of his power, so as to enable him possibly in the future to be troublesome to them.

It is obvious that Sabran, who acted according to these instructions, could effect but little. Apart from the practical difficulties—for a full recognition of Parliament must have preceded any negotiation—he could not win the confidence of either party. Charles I observed with astonishment that the ambassador, from whom he expected the most active support to his cause, and an unequivocal declaration in his favour, assumed the attitude of a neutral[1]: he requested the Queen to apply in France for his recall. On the other side, Parliament thought that Sabran encouraged the King in his resistance, which was actually true at least in relation to the religious question. Sabran was commissioned also to deal with the Scots; he was to warn them against too close a connexion with England, since they would in that way gradually become a province of the neighbouring country, and endanger their old alliance with France. The Scots replied that their view rather was to strengthen that alliance, and by means of their union with England to bring that kingdom also to join it: if an understanding between the King and the two Parliaments could be achieved, he would himself announce this alliance. They suggested the prospect that they themselves, on the strength of their old treaties, and the English with them, in agreement with France, would take part in the war in Germany, primarily for the recovery of the Palatinate—an undertaking which could not fail to gain them a great body of

[1] Holograph of Charles I, Nov. 1644. 'Either he complyes not with his instructions, or France is not so much our friend as we hope for.' (St. P. O.)

allies in Germany[1]. It is plain that this implied no opposition to the French schemes, but is rather a development of them. The Scots assumed that they would retain the upper hand in England. The connexion between France and Scotland seemed to both parties equally desirable.

The rise of the Independents contributed to the same result. The French government was horrified at the idea of their obtaining the superiority and changing England into a republic. Such a state would be mightier than the strongest kingdom: for as in republics all contribute to the common resolutions, so every one strives his utmost to carry them out. And if then the English republic should unite with that of the Netherlands, they would form a power quite irresistible, especially at sea[2]. Moreover so successful a rebellion would afford a bad example to other countries, and might easily lead them to imitate it. They durst not let them attain their end.

In the summer of 1645 we find Montereuil in London, resuming all the connexions which Bellièvre had formed, and he himself had extended: he renewed the closest intercourse with Lord Holland. Holland remarked that the King had entered into a kind of correspondence with the Independents, as believing that their views could never be carried out, and that friendly relations with them would be useful against the Presbyterians; but how much better would it have been for him to come to an agreement with the latter. For the views of the Independents pointed to complete equality in both Church and State: it was their purpose to destroy the very name of King of England: while it was the wish of the Scots, and of the better part of the English, to save the royal authority, only under limitations which were certainly hard, but were based on the old laws. He thought that it could not go against the King's conscience to acknowledge the Presbyterian form of church, which approached far more nearly than did that of the Independents to the episcopal form, inasmuch

[1] Observations sur une lettre de Mr. Jermyn. 'Les Ecossois feront entrer les Anglais dans une ligue et alliance avec la France, si elle le désire.'

[2] Instruction à Mr. de Bellièvre (Ambassade de Bellièvre).

as it made some church control and subordination possible. He requested that the influence of France might be used to bring the King round to an understanding with the Scots and Presbyterians: moreover he himself hoped thereby to regain the favour of the King and Queen. Montereuil said that he had instructions to assure him that his leading would be followed in this respect, and that by bringing about such an understanding he would earn immortal fame, and in the future be the first man in England [1].

It was actually to Holland that the idea first occurred that the King should retire to the Scottish army: so long as the King in any way kept the field, he had thought of other expedients; but when Bristol surrendered, and that defeat had been sustained near Chester, he saw no other means of resisting the Independents save by throwing the King into the arms of the Scots [2]. There he would find support enough to compel the Independents to accept endurable terms.

It is obvious that this fully suited the French policy. It seemed the best means of bringing about that connexion between the English Presbyterians, the Scots, and the King, by which not only the supremacy of the Independents might be hindered, but also grand prospects might be opened for the domination of France in Europe. A negotiation was begun, which by the manner in which it succeeded, and yet at the same time did not succeed, exercised an important influence over subsequent events.

The French above all things desired to get security from the Scots that they would grant the King endurable terms if he acceded to the proposal. They informed Loudon and Balmerino, the commissioners then in London, that otherwise it might be more advantageous for the King to deal with the Independents than with them and the Presbyterians. They tried to show that the future independence of Scotland depended on this combination. Loudon said that he could not undertake to make any alteration in the articles agreed

[1] Dépêche de Montereuil, Août 14/24, 1645.

[2] Montereuil, Oct. 12, 1645. 'Il me dit qu'il n'y avoit plus qu'un moyen pour sauver le roy de la Gr. Bretagne, qui serait de luy conseiller de se jetter dédans l'armée des Ecossais.'

on between the two Parliaments, but gave them to understand that concessions would be made to the King's wishes on points not irrevocably settled; thus in military affairs they would accept the proposals made by him at Uxbridge; in relation to Ireland they would allow new deliberations in regular parliamentary course; they would spare Digby, whom they would even seek to gain, and other enemies of Parliament in the King's suite: he made himself answerable for carrying these things in Scotland. He was asked whether and how he expected to bring the Independents to accept these conditions: he answered that he would demand it by reason of the treaties subsisting between the two kingdoms, and should they refuse, he would compel them by force[1].

There were schemes on foot not merely for saving the King, but for the formation of a widespread combination for the repression of the Independents, when Montereuil, by instruction of his court, and in concert with the Presbyterians, went to Oxford to induce the King to take refuge in the Scottish camp. It was just at the moment when the last Royalist corps in Cornwall surrendered and was dispersed. Montereuil represented to the King that especially after the last demonstrations of the city of London he could retain no hope of preventing the introduction of the Presbyterian system: it was virtually established, and was an evil that the King must put up with, since some good might be derived from it. It is certain that the King had given up the hope of achieving anything permanent: he even promised to give full satisfaction on this point, the only one on which it had to be given, provided they would require of him nothing that went against his conscience[2]. He had always thought of coming himself to London for the negotiations: that being shown to be impracticable, he now promised to betake himself

[1] The question was asked of them 'Comment ils peuvent obliger les indépendants à accepter les dites propositions, et ce qu'ils feront si elles sont refusées par les dits independants. Answer 1. Par les raisons de l'alliance faite entre eux (les deux nations), et 2. par la force même, s'il est nécessaire.' (Protocol in Montereuil's papers.)

[2] Several messages sent by his Majesty to the Scots commissioners. Clarendon Papers ii. 219, 220.

to the Scottish camp, it being assumed that there his conscience and his honour would be respected, and his attendants safe. It was not his own idea, but he accepted it, as seeming to offer him an endurable solution. He declared that he was ready to let himself be instructed in the Presbyterian system, and in general to satisfy the Scots in that matter, so far as a corresponding promise was made to him by them. The question is, did they give him such a promise, did they promise him liberty of conscience, royal honour, and security for his followers, in the sense in which he asked it?

A declaration of the governing committee in Scotland, which Colonel Murray, who was to manage the mediation of the French crown with the King, laid before Cardinal Mazarin in Paris, certainly says that the King, if he comes into the Scottish camp, shall be received there with honour, and stay there in all security: but there is bound up with it the demand that he shall first assent to the introduction of Presbyterianism, accept the conditions proposed at Uxbridge, and make himself responsible for carrying these things forward with the advice of the two Parliaments. In this case they promised him not only security, but restoration to his dignity, greatness, and authority. It appears that the committee hoped at this moment to carry its point, and make Presbyterianism, with the King at the head, dominant in England as well as in Scotland: it would not be content with any conditional concession.

There is however no doubt that their plenipotentiary in France went a step further. According to Mazarin's assertion in an official document (Bellièvre's instructions), Murray, who worked in the profoundest secrecy, since nothing must be known in London, expressly and directly promised, in the name of the Scots, that the King should not be forced in his conscience[1]. Murray afterwards made some other promises in favour of his adherents, which the Scottish plenipotentiaries in London confirmed, at least by word of mouth.

[1] 'Qu'il trouveroit toute sorte de sûreté dans leur armée, qu'il y serait reçu avec honneur, qu'on n'y forceroit point sa conscience, qu'au cas que le parlement d'Angleterre luy vouloit ôter ses justes prérogatives, ils se declareroient pour les assurer.'

Depending on this, and no doubt also on the influence which it could always exert to procure the fulfilment of these promises, the French government empowered its emissary, Montereuil, to promise all this to King Charles in the name of the Queen-Regent and King of France: honourable treatment suitable to his dignity, liberty of conscience, a good reception for all who should accompany him, reconciliation with his adherents, defence of his rights [1].

Very far from finding the acceptance of these conditions degrading, Charles I saw in them the foundation for a junction between the forces still left to him and the Scottish army. He informed Montrose that when the Scots should have openly declared themselves to this effect, and guaranteed a complete amnesty to him, the Earl, and his adherents, he might then unite his troops with those of the Parliament. When he informed his wife, who had wished for the connexion with the Scots, of his assent, he requested her to contrive that France should procure him an honourable peace, or if such were not attainable, then should support him with arms, in alliance with the States-General and the Prince of Orange [2]. Always sanguine, and full of the highest hopes, he thought he was forming an alliance which should yet gain him the victory.

The Scots in the army however did not understand the matter thus. The Chancellor had a meeting with the committee at Royston, the result of which, to Montereuil's astonishment, was quite different from what had been promised him in London. They would have no open meeting with the King, as this might involve them in difficulties with the English Parliament. The King must declare that he was on his way to Scotland, only under this pretext would they be able to receive him: but he must not bring with him a single company of his troops. The stipulations in

[1] 'That the King of Great Britain shall put himself into the Scots army, he shall be there received as their natural sovereign, and that he shall be with them in all freedom of his conscience and honour.' Montereuil refers thereupon to 'Les promesses que j'avois eu de leur part à Londres.'

[2] 'To give me a noble and friendly assistance by arms.' Charles to Henrietta Maria, April 6.

favour of his adherents were rejected or limited; an immediate recognition of Presbyterianism was pointed out as highly desirable. Montereuil did not know whether or not to advise the King, under these limitations, to carry out the concerted plan.

While Charles was preparing with Prince Rupert, who in his growing embarrassments had returned to his side and formed a guard for him, to break through the hostile troops that were continually approaching nearer, and so to push for Scotland, he received these tidings. He was intensely disgusted, seeing in it a return of the Scots 'to their old detestable treachery': for a moment all was in confusion.

In this grievous perplexity the King once more turned to the Parliamentary troops of the Independent faction, and offered the Commissary-General to come into the midst of them, if he would promise to honour and maintain his royal dignity. The same proposal was also made to some officers of the troops that were besieging Woodstock: they agreed, if their superiors approved, to send safe conducts for the King's plenipotentiaries, with a view to closer conference: they were expected at Oxford with the most painful anxiety, but they never arrived. The Independent generals were not yet inclined to enter blindly into relations with the King.

A detailed contemporary report relates that the King had yet a third alternative offered to him, that the Lord Mayor of London had undertaken to keep him safe if he came to the city, and that the plan had even been formed for his appearance at a review of the militia, fixed for May 5 in Hyde Park, but that Parliament had been informed of the scheme and postponed the review. The story is of a somewhat apocryphal character and wrong in its date[1], and therefore cannot be accepted; but it is true that a review was to have been held, and was put off by Parliament on pretexts which have no importance[2]. The Parliament de-

[1] Racconto della fuga del re d' Inghilterra d' Oxonia al campo scozzese, scritta da un cavaliere Inglese, Londra 17 Giugno 1646. Min. Rom. 'Quando avesse trovato mezzo di trasferirsi incognito al luogo destinato, l'averebbe accolto in mezzo dell' esercito.'

[2] Journals of Commons, 4 May. Rushworth vi. 267.

clared it to be high treason secretly to receive and harbour the King: it forbade any Royalist to remain in London or its vicinity. Its resolutions betray agitation, and a fear that the King would find sympathy among the people. He would not have been freed in London from the necessity of assenting to the introduction of Presbyterianism; but the court at Oxford was convinced that the city would not compel him to such hard conditions, and that his liberty of conscience would be safer than with the Scots[1]. And in fact the King all but took the way to London. He did not take his two nephews with him, though that had been his intention hitherto, for Rupert was easily recognisable by his great stature, and was hated in the country. Attended only by his captain, Hudson, and the faithful Ashburnham, whose servant he pretended to be, with a valise behind his saddle, Charles I on April 27 quitted Oxford, and reached Brentford and Harrow-on-the-Hill, in the immediate neighbourhood of the capital: and here the King was very near venturing into London itself[2]. But the vigilance of Parliament seems to have been too severe, his prospects not clear enough. After remaining there two days in concealment, during which fresh negotiations had been entered into with the Scots, he at last resolved to betake himself to their camp at Newark. Although his earlier dealings with them had had no result, yet he did not appear quite as a fugitive seeking help. His arrival gave the Scots an advantage; for they were much afraid of his falling, in one way or another, into the hands of the Independents, and giving to their views the authority of his name: it was much better and safer if the King found shelter in their camp. The English troops who were taking part in the siege of Newark, were not only astonished, but also jealous, at seeing their King enter the abode of the French ambassador, near their quarters in Southwell, and soon afterwards, surrounded by Scottish troops, remove to

[1] Ashburnham Narrative: 'They supposing that if H. Maj. could have come safe to London—they would have accepted him with much more moderation.' Ashburnham himself does not seem to have been convinced of the reality of the combination.

[2] Hudson: 'Where he was almost persuaded to come to London.'

the head-quarters of General Lesley. The Scots were afraid that the English army, which was far stronger than theirs, might try to carry off the King by force[1]. In London this unexpected dénouement produced the greatest impression on both sides. The Presbyterians were satisfied; the Independents, says Baillie, were very wroth thereat.

After Newark had been surrendered to the English troops at the wish of the Scots, with consent of the King—for they did not wish to excite their jealousy any further—they hastened to conduct him to Newcastle, near their own frontier. They knew perfectly well how valuable he was to them. They calculated that his presence would serve to keep in dependence the still unconquered Royalists in Scotland, and above all the English Presbyterians. They thought further that the King would ultimately not refuse to sign the Covenant, whereupon they would strengthen his authority. Their object was to bring to completion that combination which has been so often mentioned, with the French, the King, and the English Presbyterians, who formed the most numerous party in the country, and by this means to make head against the Independents.

[1] Private memorandum for Lord Balcarres, May 4, 1646. Appendix to Baillie ii. 514. Cp. Letter to Spang, May 15, ib. 370.

CHAPTER II.

CHARLES I AT NEWCASTLE.

EXTERNALLY the Scots treated the King with all the respect due to his rank; but they allowed him no liberty whatever. On the march to Newcastle, which was made with the utmost haste—for they were always afraid of opposition from the Independent army—the King sought to ascertain how they were inclined towards him from an officer whom he trusted[1]. As this man was telling him that he must regard himself as a prisoner, Lesley gave him a proof of the fact by peremptorily interrupting the conversation. Only Montereuil, to whom it could not be refused, was allowed to see the King occasionally; otherwise no one was admitted. The sentinels posted round his quarters were ordered to keep good watch on the windows, that letters might not be thrown out unobserved and received below. The Scots wished to separate their King from all the world, and keep him exclusively under their own influence; for their main object was to induce him actually to make the concessions which were necessary to the consolidation of Presbyterianism in Scotland and in England.

As Charles I had already declared himself willing to receive instruction in Presbyterianism, an attempt was first of all made to convince him of the truth of that system. Alexander Henderson, whom the King already liked, was immediately despatched to Newcastle, to 'heal the prince as a good physician of the predilection which he had for the Episcopalian system.' This predilection however was in the

[1] Turner (to whom he spoke) Memoirs 41.

King not merely a matter of feeling, but depended on conviction, grounded on theological study. It has always been a matter of wonder that the King was so well able, without extraneous help, to encounter the trained Presbyterian controversialist in the correspondence which was preferred to oral discussion [1].

Above all things he maintained firmly that his standpoint was a sound one both in right and historically, for that the English Reformation had been made by those whose right to do so could not be called in question, and that in it there had been no intention of abolishing any of the things which had been in use in the Christian Church ever since the times of the Apostles. Henderson repeated in relation to the first point the old Scottish doctrine, that if the prince neglected the necessary reformation, the right passed to the lower magistrates; and in relation to Episcopacy, that it could not be shown to exist in the first centuries. The King asked whether this last was not the case with the Presbyterian system, for he thought that nothing had been heard of it until Calvin. He required a scriptural proof of the lower magistrates' right to make reforms. Beyond this he added that he was bound by the oath taken at his coronation to maintain the Episcopal establishment. Henderson remarked that the oath lost its binding force when remitted by those for whose advantage it was taken, as had been done in the present case through Parliament. Charles answered that he had taken this oath not to Parliament, but to the English Church, which was not dependent on Parliament. Henderson replied that it was to the Church in its entirety, for the safety of the people was ever the highest law. The King did not admit that this constituted any release from his oath, for on those grounds we might set aside all laws.

The King resisted Henderson's arguments: but might he not be so far impressed by them as to be inclined to give way on the representation of its being absolutely necessary?

The English Parliament had again discussed the Uxbridge

[1] The papers which passed between his sacred Majesty and Mr. Alexander Henderson—three letters of Henderson's and five of the King's, in Aiton's Henderson 633.

propositions, altered them in some points, and resolved to present them once more to the King: but now no further negotiation was to be allowed; he must accept the propositions simply, like parliamentary bills. The Scots were affected by some of these alterations; among others the control of military matters, over which they had before been allowed some influence, was claimed exclusively for the English Parliament. They were well aware of this, but considering that the chief contents of the old propositions, namely the abolition of the Episcopal system and the substitution of Presbyterianism, were still retained, they deemed it better to give way on the remaining points[1]. At the delivery of the propositions on July 24 at Newcastle, the Chancellor of Scotland insisted as strongly as possible that the King must accept them without further delay. He told him plainly that if he refused he would lose all his friends in Parliament, the city and the country, that England would rise as one man against him, that they would bring him to trial, depose him, and settle the kingdom without him to the ruin of him and his posterity. But the King had already formed his resolution. He did not believe that all the threats uttered by the Scots would be fulfilled, but if even the worst came he would not yield to these demands. The English commissioners declared, as they were instructed, that they could enter into no discussion: their orders were to return within ten days to London with Yes or No. The King however still gave an evasive answer, insisting on the necessity of a fresh debate.

It was not in this Prince's nature to give way to threats: the expectation of a political reaction in his favour formed a stronger inducement. The Scots had in view not merely the maintenance of their control over the King: his compliance would also serve them as a weapon against the Independents, whose influence in Parliament was daily growing, from whom the greater stringency of the conditions had mainly proceeded, and who wished for nothing so much as for the failure of all negotiations. For what the Scots most

[1] Cp. § xiii of the Newcastle propositions with § xvii of the Uxbridge ones. Baillie ii. 377, 379.

wished, the establishment of Presbyterianism, the Independents most abhorred. It was clear that the King's procrastinating answer, which they represented as a refusal, was acceptable and advantageous to them.

Could no means be found, not so much for informing the King, for he knew the facts already, but for convincing him that it was to his own interest, since the Independents openly threatened the monarchy, to unite against them with the Presbyterians, who would retain at least the form of royal power? Might he not by this consideration be induced to make a concession which otherwise he would refuse?

This was the point of view from which the state of things was represented to the newly arrived French ambassador. It was the same Bellièvre whom we have met with once before at a fatal moment as representative of France in England. He renewed his old acquaintance with Lord Holland, receiving his suggestions chiefly in the social circles to which the latter belonged, at the houses of Lady Carlisle and the Countess of Devonshire: but how different was their tone from what it had been at the time of his first residence! Then Lord Holland had been one of the most active leaders of the opposition to the King; now he saw himself threatened by a party which had risen up since, far more resolute, and really antimonarchical: he and his friends sought to lean on the King. Bellièvre was convinced that the further rise of the Independents would annihilate the crown altogether, and that the only escape lay in an alliance with the Presbyterians; for these latter now again spoke favourably of monarchy: in London men seemed to regret having gone so far, and declared themselves ready to restore to the King such authority as his ancestors had possessed[1]. The Scots promised to intercede for the Queen, especially to procure the return of the banished members of her household: but they insisted on the unconditional and immediate acceptance of the propositions, for on this it depended whether they could think of disbanding the army, which would of itself put an end to

[1] Bellièvre, July 15/25 from London: 'Retablir leur roi non seulement dans le pouvoir qu'ils appellent légitime, mais dans une autorité fort rapprochante de la plus grande qu'eut jamais un roi d'Angleterre.' Ambassade de Bellièvre 1646.

the power of the Independents; and then it would also be possible to limit the further duration of the Parliament to a definite time, on the expiration of which it should dissolve. They also gave a hope that the King might be relieved from giving his personal adherence to the Covenant[1]. The ambassador adopted these views without hesitation: he could see no means of saving the crown and state of England except in the unconditional acceptance by the King of the propositions offered. He sent Montereuil to Paris, instructing him to use every means to induce the court, in consideration of the pressing danger and of the private interests of France, to approve the terms and recommend them to the Queen, whose influence with the King gave some reason to expect that he might even yet be induced to accept the propositions[2].

The propositions of Newcastle were discussed in every shape in the French council; but much as they wished to see an agreement between the King and the Presbyterians, they never for an instant hesitated to reject them, as ruinous to the Catholic Church and in complete contradiction to the conditions claimed for the Queen of England: moreover one king could not possibly advise another to strip himself of the characteristic marks of sovereignty, which would be exciting all neighbouring nations to similar rebellion. Queen Henrietta herself was decidedly against it: the promise that the King should not be compelled to sign the Covenant, and that Parliament should be dissolved, she treated as vain and chimerical. Bellièvre had expressed the opinion that the King might hereafter revoke what he now granted. The Queen observed that if he signed the propositions he would give them legal validity, and neither he nor his successors would ever be able to free themselves from them, for the people would never suffer themselves to be deprived of them again: he would be changing an usurpation into a legal right. And when Bellièvre expressed the apprehension that they would try the King and depose him, and set up an inde-

[1] '(Les Ecossais) me promettent autant que les Anglais une chose qui peut être la décision de cette affaire, qu'ils empêcheront que le roi de Gr. Brne. ne soit pressé de prendre le covenant (ib.).

[2] Mémoire du roi à Mr. de Bellièvre, apporté par Mr. de Montereuil. 19 Sept.

pendent government under the third prince, the Duke of Gloucester, the Queen thought that even this would be better than that Charles I should in solemn form deprive himself of his power, and clothe Parliament with it. Cardinal Mazarin fully concurred in all this; for they durst not let it come to pass that the King should remain such in name only [1].

Two points especially of the propositions repeated at Newcastle appeared to France inadmissible; one, that the power to dispose of the army and to raise the means necessary for its maintenance should be given over for twenty years, dating from July 1, 1646, into the hands of the Parliament, as well in Scotland as in England and Ireland; the other that a great list should be drawn up of classes of persons disqualified to receive any amnesty, comprising all those, Scots as well as Englishmen, who had ever supported the King's cause in the field or in negotiations.

The French statesmen had a double motive for not wishing to give the Independents the opportunity of possessing themselves of the supreme authority: they were afraid of their anti-monarchical doctrines and their general influence in Europe, but moreover they feared that Great Britain might form a compact power on principles opposite to their own. They did not however mean to avert these dangers by recommending concessions which were contrary to monarchy as understood in France, but by influence over the Scots and renewal of their league with them.

Bellièvre, who in his earlier mission had worked chiefly for this object, was instructed to represent to them his astonishment that, after giving the King, when at the advice of France and to their great advantage he came to their camp, reason to hope for more favourable terms, they should now wish to compel him to accept less favourable ones: they would in this way make an enemy for ever of their King, who might yet recover his power: but if they would support him now,

[1] A. Bellièvre, 6 Août. 'Je suis bien de cet avis, qu'il vaudroit mieux attendre toutes les violences que le parlement pourroit commettre, même celle à déposséder le roi, mais non pas que luy-même consentist qu'on ne luy laissait que le nom et la figure du roi, qu'on ne manqueroit pas de luy oster peu de temps après.'

France would be for ever bound to them, would not only secure them against the enmity of the English, but would even take their part if Charles I should ever break his promises to them, and would be inclined in the pending negotiations for a general peace to make the concessions necessary for attaining it, so as to be able in the next spring, before there was anything to be apprehended even from the Independent army, to give them help[1].

France was at this time at the height of her military power and political influence in the world: she hoped before the end of the year to establish her position by the conclusion of peace at Münster: and then it was the purpose of her leading minister to interfere actively in English affairs, and support with all his strength the union between Charles I and the Scots, which he hoped meanwhile to bring to completion[2].

For this connexion concessions were necessary, and the French court was entirely in favour of their being made, but not of so comprehensive a kind as was demanded. Queen Henrietta Maria warned her husband afresh against accepting the Covenant; but she admitted that Bellièvre was right in thinking that the Episcopalian system must be given up. She well knew, she said, how distasteful this was to the King, and it was equally so to herself, but there was no means of saving the bishops without ruining himself. If he fell they were irretrievably lost, whereas he might restore them, if he again attained power. All seemed to her to depend on his not giving up his prerogative in relation to the armed force, the right of the militia; for then he would have the means, and God would give him still more—she meant French help—to restore all. The disorder in Ireland was dying out: she had received from Scotland offers of great importance, and from the Queen of Sweden satisfactory assurances of friendship.

[1] 'En cas qu'ils se disposent à faire leur devoir, on se relâchera d'icy en beaucoup de choses pour faciliter la conclusion de la paix générale, affin de nous mettre en état de les secourir.'

[2] Henrietta Maria to Charles I, Oct. 9/19, 1646. 'Cl. Mazarin m'a assuré que la paix générale seroit faite devant Noël; et cela estant, on vous assisteroit puissamment.'

If the King stood fast, and abandoned neither his friends nor the right of the militia, their cause might yet prosper.

Ever since July Bellièvre had been with the King at Newcastle. He had entered into more intimate relations with him than might have been expected from the incidents of his first mission, but they seemed forgotten in the whirl of later events. Bellièvre wondered at the tranquillity with which the King awaited the terrible events impending: he said that he admired it, but could not imitate it[1].

Some Scots also repaired to Newcastle, where the forms of the court were still observed; amongst them Charles I's old confidant, Hamilton, who had been released in the course of events from his imprisonment at Pendennis, appeared one day when the King gave audience. It was observed that both blushed when their eyes met: Hamilton would have retired among the rest of those present, but the King called him to his side. In fact he had never believed in the actual guilt of his old friend, and when he declared this, the old confidence was at once restored between them: the King said that Hamilton would not quit him in his misfortunes, and Hamilton replied that he was ready to fulfil the King's commands.

But thereupon Hamilton urged him to give way on the subject of religion, as without this he would never win to his side either the Scots or the city of London, on which all depended. Others, who were regarded as a middle party between Argyle and Hamilton, promised the King shelter in the country and armed assistance, but they made the same condition. The King was firmly resolved not to accept it; and among his attendants there was at least one who gave him some hope that this unendurable necessity might be spared him. This was Murray, who was on confidential terms with many leading men in England and Scotland, and knew their opinions. The King formed a very close intimacy with him, and with his aid in the first half of October concocted an answer to the last propositions, which he hoped would find acceptance in London and in time at least, might bring about a happy result.

[1] 'La force d'attendre l'évènement de toutes ces choses horribles avec une tranquillité d'âme sans exemple.'

It was not the French policy, though that was now backed by his wife, whose counsels usually had the greatest weight with him, that the King adopted: on the contrary, without any such exclusive reference to the Scots as France recommended, he still hoped to attain his end by the course of reconciliation with the English Parliament once before tried. He accepted those of the propositions which related to repression of the Papists: he declared himself ready to give satisfaction to the Parliament in all that concerned Ireland, in reference to war and religion: while pronouncing a general amnesty most desirable, he promised to go as far in the way of limiting it as honour and justice allowed. He said further that it was impossible for him to deprive himself for ever of the sword, and place it unconditionally in the hands of Parliament; but since it appeared necessary for the establishment and security of peace, he would leave the right of the militia by land and sea in the hands of Parliament for ten years, on the condition however that afterwards it should stand as in the times of his father and Queen Elizabeth. He implored the members of Parliament, by their duty as Englishmen and Christians, to accept this offer and thereby restore peace [1].

There was still left the chief demand, concerning the abolition of the Episcopalian establishment. The idea occurred to the King himself, that in respect to this also he might by a temporary concession calm their minds and at the same time not violate his conscience: everything should stay for three years in the present condition, and during that time the question should be discussed from all sides by a new committee, and ultimately settled in the old parliamentary fashion. Even about this he had scruples, and would not make the proposal until he had received the assurance of two distinguished bishops—those of London and Salisbury—that he might do so with an easy conscience [2]. He requested them to tell him their opinion freely and candidly, as they would answer for it at the Judgment Day. The bishops

[1] The King to the Queen, in Bruce 65, 67.

[2] 'A proposition which no man but myself has thought on.' Charles I for William Murray. Clarendon State Papers ii. 267.

answered that, assuming it to be the King's firm resolve not to depart from his coronation oath, and to maintain the Established Church, to which end the new proposals were meant to serve, they were of opinion that he would not be breaking his oath by making them, for he was only allowing for a time what he could not prevent[1].

Thus assured by an episcopal judgment which he valued very highly, the King offered to sanction the Presbyterian establishment with all its forms, and the order of public worship already adopted, for a term of three years, without prejudice to his own personal liberty: a definite arrangement to be resolved on after that time by himself and the two Houses of Parliament, after new consultations of the committee with the Assembly of Divines[2].

These were the first definite offers made by King Charles after his defeat. They are closely connected with those suggested by him at Uxbridge through his representatives; but compared with them are certainly much more comprehensive. The right of the militia is handed over to the Parliament, no longer for three years and jointly with the King, but completely and for ten years. He offered not a meaningless approximation to the Presbyterian system, but an effective recognition of it for several years. Nevertheless his own standpoint, it is easy to discern, was still not materially changed. The King contemplated a return to the old state of things, unconditionally in respect to the first point: as to the second he clearly expected that it would follow.

The doubt was whether he would effect anything by this. The first storm he had to withstand was from his wife. She had wished, in accordance with the French policy, that he should firmly hold to his temporal rights and make extensive concessions as to religion. Instead of this Charles I gave way a step further in temporal matters, but in religious matters conceded so little that he could not have hoped to obtain any

[1] The two letters; Clarendon State Papers ii. 265, 267.

[2] His Majesty's answer to the propositions, in Burnet, Hamiltons 299. As it appears, it was first drawn up towards the middle of November during a second visit of Murray to Newcastle (Letter to the Queen of Nov. 14 in Bruce 75). The earlier drafts, differing in some few points, were also communicated to the Queen.

result in Scotland. The Queen told him that he seemed not to value the right of the militia highly enough, and that if his conscience would allow him to comply in the religious question for three years, he might well have given way further to save his kingdom.

The King was much concerned at the opposition of his wife, whose esteem and love was a great consolation to him in all his troubles; but even against her he stood firm. He replied that military strength did not form so thoroughly stable a power in England as perhaps in France, and that he did not surrender his rights: so too he held to his claims as to religion—the temporary compliance which he offered would not wound his conscience, but further he would not be urged to go. His previous ill-fortune he regarded as the punishment of God for the weakness of which he had been guilty in allowing the execution of Strafford and the exclusion of the bishops from Parliament. The abolition of the Episcopalian system would be a relapse into the same error, would draw down the wrath of God upon him afresh, and deprive him of his settled peace of mind—he should fall into despair.

Charles then had an idea of resigning the supreme power to the Prince of Wales; if he could reconcile it to his conscience to make greater concessions to the Scots, he might do so. But neither his wife nor the Prince would hear of this: Mazarin also and Bellièvre deemed the project too dangerous. They would have been afraid of a republic being immediately proclaimed, and perhaps obtaining control of the three kingdoms.

As the royal authority could not be induced to grant the chief demand of the Scots, the French had no other resource for carrying out their plan, except to try how far the Scots would be satisfied with the King's concessions. At the beginning of December, 1646, his answer to the propositions was sent to them, and met with a very unfavourable reception. The limitation to three years of the recognition of Presbyterianism, the exemption of the royal family from all pledges to conform to it, the entire omission of any mention of the Covenant, displeased the zealous Scots in the highest degree. The French did not yet despair of bringing about a good

understanding: once more Montereuil repaired to Scotland with instructions to suggest a prospect of the open intervention of France in favour of the King, and to promise splendid rewards to all who should take part in the great work of restoring the King[1]. Montereuil spoke first with Hamilton and his friends: they assured him that they were ready to shed their blood for their King, but that they should be able to achieve nothing for him with their countrymen unless he signed the Covenant. Montereuil hurried next to the middle party, with which Bellièvre had had dealings, Traquair, Calander, Roxburgh, Morton: they declared that they could do nothing without the Hamiltons, and also required the concession which was not to be obtained from the King. In Parliament a resolution was passed in opposition to more moderate proposals, to insist on the acceptation of the propositions as a whole, and if the King refused, to provide for the government of the country without him. The Church Assembly expressed itself to the same effect: the King should never be received in the country unless he accepted the Covenant, and gave a satisfactory answer in respect to the propositions[2].

Thus this negotiation also miscarried. Bellièvre attempted to open to the King the chance of flight to Ireland or the Scottish Highlands, for he must stay in one of his kingdoms, so as to be able to form a party: but even an attempt at such a thing proved impracticable; in consequence of a fresh turn in politics the vigilance around his person had been doubled.

Turning away from all dealings which might lead to a one-sided alliance with the King and with France, the Scots had again come to terms with the English Parliament. Their religious zeal was satisfied by Presbyterianism being now in fact introduced into England: lay elders had been chosen and church sessions established in London: the Assembly

[1] 'La paix générale se faisant, comme, Dieu mercy, nous sommes à la veille, la France se declarera en faveur du roy de la Gr. Brne., comme aussi, si dès à present il ne manquoit pour faire declarer en faveur du dit roy, si ce n'est que la France se declarast, LL. MM. y seroient disposés, pourvu que l'on vit évidemment l'utilité du restablissement du roi.' (Mazarin to Bellièvre, Dec. 10.)

[2] Letter of Lanerick, Dec. 17, in Burnet, Hamiltons 306.

of Divines were proceeding to compile a catechism and confession. The Scots had no objection to the King being kept for the future in custody in England: they hoped that either he would thus be brought to accept the propositions, or that without this form they would succeed in carrying out their old purposes. This concession was joined to a new agreement, whereby all differences between England and Scotland were fully settled: the English agreed to pay all arrears due to the Scots, £400,000 in all, £200,000 at once in two instalments: the Scots agreed to quit England; the first instalment was to be paid to them before they recrossed the Tyne, the second directly afterwards.

We shall soon see what views, as against other common enemies, were at the bottom of this reconciliation. The immediate consequence was that the King's answer to the propositions had no effect in England; for as the Scots, who had no reason for being entirely satisfied with them, held firmly to them, it was not likely that the English Parliament, from which they proceeded, should abandon them. It was agreed that the King should be brought to Holmby House, and remain there until he gave his assent to the last proposals: the Scots only stipulated that the constitution should not be further altered, nor the succession interfered with. The moderate members of the English Parliament readily assented, for they hoped, having these fixed points to rely on, that they would be better able to resist the opposite party, which aimed at abolishing the monarchy. The Presbyterians of the two countries, being thus united, hoped to establish for ever their joint supremacy.

The execution of these arrangements, when once decided on, was not delayed for a moment. The money payment was brought in a somewhat offensive way into connexion with the surrender of the King. On January 21, 1646/7, Thursday, the first payment towards the stipulated sum was made near Northallerton, both parties appearing with military escorts: on the following Saturday the English commissioners arrived at Newcastle, to inform the King that he must follow them. It was Lord Pembroke, who in the most submissive form, not omitting the three reverences practised at Whitehall, made

these announcements to the King. He told him that he was deputed by Parliament to follow him to Holmby, and be at his service on the journey [1]. The King as usual begged for time to consider it. He spoke first with the deputies from Scotland, who gave him to understand, though in the gentlest terms which they could find, that the Scottish Parliament fully concurred. They informed him that their garrison would quit Newcastle, and an English one enter in their stead. On Saturday, the 30th, the Scots quitted Newcastle, and the English entered: in the afternoon an English guard entered the King's presence under arms instead of the Scottish one. The Scottish deputies left him, after presenting a declaration of their Parliament in relation to his surrender: and the English entered in their stead: the latter told him that he would be received with joy by his people (always assuming that he accepted the Covenant), and that never had a King been more powerful in England than he should be. He fixed February 3 for the day of his departure: they made short journeys by day, so as not to be exposed at night-fall to any disasters, or inconvenient demonstration. All the magic effect of the reverence, which for centuries had been shewn to the wearer of the crown, still remained with Charles I. Crowds streamed in from all sides, in order to be cured, according to the old belief, by his health-giving touch, in such numbers that the concourse had to be stopped by proclamation. When they reached Holmby—a country house built by Christopher Hatton in the splendid style of the Elizabethan age, that at a later date had passed into the hands of the royal family—the strictest confinement was ordered as lately at Newcastle. No man durst approach the King, who had not committed himself to the new order of things by accepting the protest and the Covenant. Even of these the sentinels let none pass, who could not produce written leave from the commissioners, through whose hands all letters which concerned him, had to pass. The treatment of the King recalls what his grandmother Mary Stuart had to endure at Fotheringhay: the difference

[2] So says Montereuil, to whom the King had told it. Jan. 26.

was that his life was secured by treaty with the Scots; and the prevailing Parliamentary authority, at least in most part of the members constituting it, was in fact of opinion that the promise should be kept.

CHAPTER III.

THE PARLIAMENT AND ARMY AT VARIANCE.

IT has always been a matter of surprise, both at the time and since, that King Charles attached so much importance to the maintenance of Episcopacy, even more than to the preservation of his military prerogative. In one of his letters to his wife he writes that a King of England, even if he remains in possession of military power, will have but little enjoyment of it, so long as obedience is not preached from the pulpits, and that this can never be obtained from the Presbyterians: for their view was to wrest from the crown its ecclesiastical authority, and place it in the hands of Parliament, and also to introduce the doctrine that the supreme power belongs to the people, that the prince may be called to account and punished by them, and that resistance to him is a lawful thing[1]. To these views and doctrines Charles I would not submit, being every moment conscious that he was contending for right by the grace of God, for the old personal authority of the crown.

Even in the condition of strict imprisonment in which he was kept, he still possessed power, and felt it. The Lower House changed a number of the propositions rejected by him—for instance the abolition of Episcopacy, and the arrangements about the military authority—into ordinances; but laws they could not become without the King's assent: it was felt to be of some importance to obtain it from him. Moreover there

[1] Charles to Henrietta Maria, in Bruce 71. 'They will introduce that doctrine, which makes rebellion to be lawfull, and that the supreme power is in the people, to whom kings ought to give account and be corrected when they do amiss.'

were other complications which made the Parliament anxious for its own sake to come to terms with the King.

The Presbyterian majority proceeded to execute its great long-prepared and decisive scheme for putting down the Independents. It was this purpose which was originally at the bottom of their connexion with the Scots, in conformity to the interests of both parties. The Scots agreed so easily to quit England, in order to remove the pretext on which the retention of an army in England was justified. To disband the army would be the ruin of the entire party which relied upon it. For the same reason the city lent the money requisite to content the Scots and induce them to depart. The agreement by which the King was delivered into the hands of the English Parliament was intended to serve also as a reason for disbanding the army, now that all that quarrel was terminated [1]. Under the additional influence of various petitions which came in from all parts of the country against burdening it any longer with the cost of a standing army which wasno more wanted, the Lower House at the beginning of March 1647 passed several comprehensive resolutions about the further destination of the army.

Now that England was at peace it was time to put an end to the truce in Ireland, and prosecute the war there with all vigour. For this purpose it was deemed advisable to send to Ireland seven regiments of foot and four of horse, 11,400 men in all, all of whom were to be taken from the standing army under General Fairfax. In England only so many troops were to be retained as were necessary for garrisoning the fortified places. County by county the fortresses were enumerated which were to be kept or to be razed: by far the greater part were doomed to demolition. The numbers of the army being thus considerably reduced, care was further taken for securing their absolute obedience. On March 8 a resolution was passed that no member of the Lower House should hold a command in these garrisons or

[1] Baillie ii. 391. 'The money must be borrowed in the city—they are our loving friends, but before they will part with more money, they will press [as] hard the disbanding of their own Armie as ours: if they obtain this, the sectaries will be broken.' Aug. 18, 1646.

in the army, and that no higher military rank than colonel should be suffered to exist under the General-in-Chief: a majority of 136 votes against 108 further decided that the officers of the army should one and all accept the Covenant, and conform to the church system established by Parliament[1].

It is obvious that if these resolutions were carried out the Independentism of the army would no longer be dangerous,—for this very reason it was inevitable that resistance should be offered to them.

How long and strenuously had Parliament contended with the King for the right to control the army. It is a sort of irony of success that now it was as far as possible from being master of the very army which had been formed under its eyes.

On March 21 the officers of all ranks had assembled in Thomas Fairfax's head-quarters at Saffron-Walden: when the demand was laid before them to enter for service in Ireland, they gave it to be understood that they could not do so until satisfactory answers were given to several questions, especially who was to command in Ireland, how the army was to be ensured its arrears for past service, its pay for the future, and an indemnity for all previous acts. In reply the Parliament resolved to set apart for the army a considerable sum (£60,000 a month), and it seemed as if this would have an influence on the decision of the officers. Hereupon several captains showed themselves inclined to enter on the new service, but the rest, all the colonels, lieutenant-colonels, and majors present, a great number of captains and some lieutenants adhered to their resolutions of the previous day.

It is known from the German wars what a tendency to independence prevailed generally in the armies of that age. The English army did not scruple to make known its views in the manner then usual in political bodies. A petition was despatched to Parliament in which it disclaimed every sort of obligation except to do England service, and insisted in the name of all, that before the army was disbanded every

[1] Journals of Commons v. 107, 108.

officer's claims should be settled and an indemnity granted for every unlawful act done on service[1]. The petition breathes a haughty consciousness of strength, and is a manifesto of independence. Parliament was highly offended, and did not delay to express its disapproval, offering forgiveness to all who receded from the petition, but declaring all who continued to urge it enemies of the public peace and of the state. Nevertheless it did not hesitate to proceed with the affair. The Common Council of the city proving willing to grant a new loan, it was possible to provide abundant pay for the two armies, both that which was to stay at home and that destined for Ireland, especially for the latter. Indeed a new commission which was sent to Saffron-Walden met with great opposition. The majority of the officers desired above all things to stay with their generals, and to be charged *en masse* with the expedition to Ireland: but there were some who gave ear to the requests of the commissioners. The Parliament named General Skippon, who enjoyed the confidence of the army, as field-marshal for Ireland, and after some hesitation he accepted the appointment. Gradually no small number of officers declared themselves ready to go to Ireland, seventeen from the cavalry, eighty-seven from nine separate regiments of foot, seven from the dragoons; these were mostly subalterns, but some few were colonels, and there were several captains. They hoped to be able to send a considerable army to Ireland, about 5000 infantry[2].

Then however it was shown that in this army the privates were not so absolutely dependent on their officers as in the German armies. The religious impulse which had drawn every man into the ranks produced a feeling of individual rights, and of spontaneity of action, which destroyed the dependence of military subordination. A distinguished colonel, who with several of his officers was gained over for service in Ireland, was unable to bring one of his men with him. In other regiments and companies a certain number

[1] The petition of the officers and souldiers, with the several votes of the council of war, together with a letter from His Excellency to the House of Commons. (King's Pamphlets 383.)

[2] Cp. Rushworth vi. 464 sq.

of them followed, but always far less than half. Manifestations now appeared not merely of disobedience but of hostility. Every man had taken up arms for the sake of the sect to which he belonged: he would not lay them down with the prospect that this sect would thereupon be oppressed. Moreover far-reaching political tendencies also prevailed. In an address which the military representatives elected by the separate companies—those Agitators who had yet a great part to play—presented to their most celebrated generals, Fairfax, Cromwell, and Skippon, they mentioned besides the satisfaction of their own claims, the security of the rights and liberties of the subject. They spoke very offensively of the leaders of the Presbyterian party in Parliament, describing them as men who, having been raised above their proper sphere of subordinate service, had acquired a taste for sovereign power, and took pleasure in a tyrannical exercise of it—expressions which amounted to a declaration of open hostility.

It was now that the leaders of the moderate party in Parliament, and some personages outside it, turned their eyes again upon the King. Union with him, whereby the measures adopted by them against their opponents would have obtained the sanction of a higher authority, would have been of infinite value to them. Parliament, which was bound by previous resolutions, could not officially consent to the proposals contained in the King's last answer from Newcastle; but in secret they found numerous supporters. When Bellièvre returned from Newcastle to London, he observed an inclination, quite unexpected by him, to make terms with the King on this basis. Holland, Warwick, Manchester, and the two ladies who had so much influence in the Presbyterian party, the Countesses of Carlisle and Devonshire, declared themselves satisfied with the King's last concessions in respect to the militia and the Irish war, as well as with the introduction of Presbyterianism for three years. They only asked for one thing more—that the King should declare himself ready to recognise the arrangements made by Parliament under the Great Seal, which seemed to them absolutely necessary for their personal safety: but after that he might return to London to meet the Parliament, in order to make a definite

reconciliation; and they thought that they could promise him a good reception in the city. The Royalists, who had come to London in numbers from the places captured by the army, maintained there a tone of feeling favourable to the King, which reacted on Parliament. Bellièvre was convinced that this result would soon and easily be realised. An important weight was thrown into the same scale by the Earl of Northumberland, who had for a long time sided with the Independents, from dislike to the Scots, but now returned to his old Presbyterian friends. Bellièvre most urgently recommended the attempt both to the King, with whom he had found means to keep up his communication, and to the Queen, and to the French court.

The course taken by France was once more decided by general politics. Seeing that the Spaniards and their allies—for peace had not long been concluded—exhibited themselves as opponents of King Charles and friends of the Independents, it appeared advantageous to effect as a counterpoise a connection with the King and the moderate Parliamentarians[1].

Queen Henrietta Maria, to whom the proposals were again communicated, was annoyed that everything issued under the Great Seal should be legalised in the lump; no one knew, she said, what might not be included. She had no objection to the Lords seeking advantage and safety for themselves, but she required in that case a general amnesty, so that she might not see her own adherents excluded[2].

This was also the point of view of the King, who was very unwilling to concede anything until he should be again a free man; then, he said, he would grant to his Parliament everything which could be given consistently with honour and a good conscience[3]. He wished to ascertain definitely

[1] Bellièvre to Brienne, Feb. 8, 1647. 'Les indépendants ne veulent point de roi, et croyent avoir jetté les fondemens de leur république par le projet de traité qu'ils ont avec l'ambassadeur d'Espagne.'

[2] Brienne to Bellièvre, Feb. 16, 1647. 'La reine a peine de conseiller au roi de se conformer à ce qu'on desire de lui, mais les articles expliqués il pourroit bien avoir lieu d'y entendre.'

[3] Charles I to Bellièvre, Feb. 26: 'Quand je serai une personne libre, je tâcherai de donner tout le contentement à mon parlement que je puis faire avec

from the Lords what he had to expect from them. The Queen urged the Earl of Northumberland to promise that he would declare for the King in case Parliament was not to be gained. And so things went on, with much expenditure of words, without any agreement being arrived at, though on the whole all had the same intention.

The Upper House resolved that it would be well for the King to come to Oatlands, so as to be nearer Parliament; but as some difficulties might be expected to be raised, it was suggested that he should escape by flight from his detention at Holmby, and come to the city. He might merely alight at the Lord Mayor's, appear in Parliament under the escort of that portion of the citizens which was devoted to him, and thence repair to Whitehall. The Countesses of Carlisle and Devonshire recommended this plan, though they could not suggest the proper means for executing it: not only Warwick and Holland and many English Presbyterians, but also some Scots were in favour of it. Bellièvre undertook to arrange it with the King[1].

While the Parliamentary leaders were thus pursuing more eagerly than ever the idea of an accommodation with the King, they made at the same time earnest preparations for either keeping the army in obedience, or getting rid of it altogether. In reply to the complaints of the troops Parliament agreed to concessions in respect to indemnity and security for arrears, but insisted on the army being disbanded. On May 25 it issued an order prescribing the mode in which this should take place in the different regiments, fixing the place and the day, and the direction in which those were to move who would take service in Ireland. Commencement was to be made on June 1 with Fairfax's regiment: the commissioners of Parliament, among them the

honneur et conscience.' May 20: 'C'est le temps pour mes amis de témoigner ce qu'ils veulent faire pour moi, car il y a encore moyen par la grâce de Dieu de faire quelque chose de bon.' This correspondence would be worth a special discussion.

[1] 'Ils ne doutent point que Sa Majesté se pourroit retirer à Whitehall avec grand contentement de la ville et du parlement aussi.' Bellièvre to Charles I, June 2.

Earl of Warwick, set out with the money required for completing it.

Once more there was a great opportunity for the Presbyterian schemes: removal of the Independent opposition, reconciliation with the King, and alliance with France, seemed all attainable in the immediate future. But, as has been said, this danger stimulated all the strength of the Independents, thus threatened, and in itself so powerful. The time was come when they must decide whether to yield to the majority of Parliament, or to offer resistance. Should the generals and colonels, who not unjustly asserted that they had done most in the war with the King, obey an authority formed on the basis of their victory, but established with no legal warranty, and in itself unconsolidated, if it issued orders which were ruinous to them? Should the soldiers too surrender the religious independence for which they had taken up arms, for a system no less oppressive to them than the old one, and submit to a new yoke? With these considerations of personal interest was united a dislike to a close connexion with the Scots, and to their influence, which threatened to make England dependent on foreign counsels. As matters stood then it may well be maintained that for the future and the greatness of England, both in the British Islands and in the world at large, more was to be expected from the continued freedom of the army and its further victories, than from the treaties and alliances of the Presbyterians.

That all this was fully considered we cannot suppose: but hostilities and oppositions are at once personal and ideal: the contending factions were maintaining at the same time their own private cause and one of public importance.

The disbanding could not be accomplished at once. A petition in the name of the soldiery proposed a general assembly: the officers thought it impossible to refuse such a meeting, because it could not well be prevented, and would be all the more dangerous if held without the officers: while assenting to the petition, they at the same time requested the general to press Parliament to revise the order for disbanding, and also to postpone the operation of it. What if it should be still persisted in? On the appointed day,

June 12, the commissioners appointed to execute it in Fairfax's regiment arrived at head-quarters. In order to avoid an immediate conflict the regiment determined to move off: the major took possession of the colours and led the troops, as if it were done on his own account, to the appointed place of meeting. The same feelings prevailed in the other regiments and their commanders: of all the colonels perhaps only six did not concur.

With this evasive disobedience was joined an act of the most arbitrary character. The army could not and would not let the King go to London: for then, in one way or another, the scheme already projected would have been executed, and through the newly-awakened sympathies of the Londoners a royalist combination might have been completed. The powerless King formed a subject of jealousy between the different parties. Parliament had been unwilling to leave him in the hands of the Scots: the army resolved to withdraw him from the influence of Parliament.

On June 2, 1647, King Charles I had already retired to rest at Holmby, when a couple of squadrons of Cromwellian horse appeared before the house, under a cornet named Joyce, who, though without any producible warrant [1], appeared with so much authority that the audience which he demanded to have immediately could not be refused to him. He then informed the King that the army, fearing that Parliament would carry him off and raise other troops in his name, requested him to follow him. As the commissioners could offer no resistance, the King assented, only expressing the supposition that he would be treated with the respect due to him, and would not be oppressed in his conscience. Next morning he had this confirmed by the assembled soldiers, and then for the first time asked for the cornet's warrant. He said that his warrant was the men behind him: the King replied laughing, that it was a warrant which needed no spelling. 'But what would you do, if I did not follow you? You

[1] Sanderson 986. Sent from the committee of troopers in the army, after they had secured their guards, demanded the King of the commissioners, who in amaze asked for his warrant, whose answer that it was the sense of the army.

would not, I think, lay hands on me; for I am your King: no one is above me, save God alone[1].'

The King had been transferred without difficulty from the custody of the Scots to that of Parliament; for therein, as he said at the time, he changed only his place, and not his condition: he now with a certain appearance of free-will followed the stronger power. He had as yet no knowledge of the plan of flight to London: the letter in which Bellièvre informed him of it is dated on that very 2nd of June: it was still doubtful whether he would even come to terms with the Presbyterians. Meanwhile he felt daily and hourly the pressure of their treatment: the Independents, from their principles, were more tolerant gaolers.

This falling into the hands of the army, in which fundamentally anti-monarchical principles were dominant, was a decisive event in Charles I's history. Who gave instructions for carrying him off? Who was the leader in the matter? Parliament at the time, like all its contemporaries and posterity, had no doubt that Cromwell was the soul of it all. Just at this time the purpose of arresting him had again been formed, but he had gone to the army at the right moment. Even now he remained entirely in the background. The order executed by Joyce proceeded not from him, but from a committee of the soldiers.

The King was immediately conducted to the neighbourhood of Newmarket, where the announced general meeting of the troops took place. His presence, which secured the army against the formation of a threatening combination, doubtless also contributed to its assuming a haughtier attitude, and openly avowing aggressive purposes. The army declared the resolution for disbanding it to be the work of evil-minded men, whose object was simply to separate officers and men, and then to ill-use both at their pleasure: it required, besides the removal of remaining grievances, security against this danger, which would last so long as those men were of consideration and influence in Parliament, and security too of a kind with

[1] A true impartial narrative, concerning the army's preservation of the King. Rushworth vi. 513.

which the great council of the army, consisting of the generals and two officers and two privates from each regiment, should be satisfied.

What was now only intimated, was directly announced a few days later[1]. The army demanded that Parliament should be cleared of the persons displeasing to it: they mentioned eleven by name, including Hollis, Stapleton, Clotworthy, and William Waller, who had acted against the army and the rights of the subject, and therefore ought not to sit in Parliament. With this they united still more comprehensive intentions. They condemned the perpetual Parliament, and required, though not immediately, new elections and periodical meetings of Parliament. In their memorials, which were said to be composed by Ireton, appear ideas of the most extensive import, at present only in distant perspective, but which were soon to be further developed.

Parliament, having the capital mainly on its side, still thought itself capable of resistance. The city troops were strengthened, and a guard formed for Parliament: reformed officers were taken into their service. A resolution passed at an earlier date, forbidding the army to approach within twenty-five miles of the capital, was called to remembrance, and the old committee of safety re-established.

We know however how narrow was the majority which gave Parliament its present Presbyterian character. All depended on party, the assembly as a whole had no proper *esprit de corps*. Instead of opposing the now advancing army with firmness, the majority in Parliament, in consequence of its approach, were doubtful and pliant. They revoked the commissions given for preparations, and recalled the expressions which had most offended the army: as moreover the eleven accused members thought it best to depart (they received leave of absence for six months), the Independent interest was now the stronger: Parliament consequently annulled the elections to the committee on the city militia, by which the Independents had been excluded, and assented to the King's following the army.

[1] Declaration or representation, June 14. Heads of charges, June 16. In Rushworth vi. 572.

A firmer temper was exhibited in the city, where the Presbyterianism of the citizens was kept in constant excitement by the preachers, who saw in the predominance of the Independents a danger to the faith and to the safety of their souls, so that now the offers which the King again issued appeared very acceptable. Moreover the old royalist interest reappeared in all its strength: an association was planned, in which citizens, militia, sailors, and students united, so as to conclude peace on the basis of his last intimations through personal communication with him: it was declared the cause at once of God and of the King, in which no neutrality was admissible.

Although this pledge was rejected in Parliament, and it was even declared high treason to sign it, the only immediate effect was to inflame still more the zeal of the citizens: as they observed that the change of opinion in Parliament resulted from the influence of the army, they thought that they also had a right to maintain their views in opposition. On Monday, July 26, the Common Council proceeded to the House of Lords, and obtained, by the aid of a tumultuous mob, the repeal of the last resolution, as well as of another relating to the city militia. Thence the mob turned to the Lower House: it consisted of lads from the workshops, sailors, and discharged soldiers: they came into the chamber with their hats on, and in violent haste demanded a division on the same proposals. The Commons kept them at bay for some time, hoping for aid from the Mayor or the Sheriffs: the former did not stir, the Sheriffs appeared with some halberdiers, who however declined to interfere. Late in the evening the Commons resolved to follow the example of the Lords. The mob allowed no one to quit the House until the clerk had legalised what had been done with the ancient forms[1].

The power of the Long Parliament was based on its under-

[1] '(Gli artisti) loro fecero le tre propositioni, come si essi fussero stati membre del parlamento—ed obligarono i parlamentarii che stessero ritenuti nella camera sino alle q ore e sigillarlo con il gran sigillo.' The only English report which I find intelligible is the one given by John Rushworth to Ferdinando Fairfax. Fairfax Correspondence i. 382.

standing with the city and the army: but now the influence of these two allies became antagonistic to each other. By far the greater part of the members, including some of Presbyterian opinions, with the Speakers of the two Houses, fled from the violence of the city to the army head-quarters. Fairfax and Cromwell now did what Essex had avoided doing in a similar case: they welcomed the fugitives. The city on the contrary made itself responsible for guarding the assembly, such as it had become after the return of the eleven members and the departure of so many others. The city, in its official character, ordered the army to advance no further, as it would be a breach of the privileges of London. And in case this should still happen it prepared to defend against the Independents the fortifications which had been erected against the royalist troops. An invitation was sent to the King himself to come to London, where freedom, security, and honourable treatment should be his portion. General Massey, who had made a name by the defence of Gloucester, was with great confidence appointed to defend London. The forts were occupied, and cannon placed on the ramparts: the youths crowded to serve. An Independent demonstration in the streets, in which the Catholics joined, was put down by the superior strength of the Presbyterians, as the city of London was regarded as their chief stronghold: a dangerous war between the armed force and the capital seemed to be impending[1].

Determined to overpower this opposition, which they did not rate very high, the Independent army gathered from all directions on Hounslow Heath. Fairfax issued a manifesto wherein he also, like the King, declared that after the previous tumults and the flight of the two Speakers, there was no longer at Westminster a lawful and free Parliament, it was *ipso facto* suspended; that all resolutions passed by it were in their nature null and void, and that the army was advancing on

[1] The Italian reporter from whom I take this notice adds: 'Tutta la notte seguente delli 12 (2) il consiglio ed il parlamento che io dico presbyteriano, furono in piedi, e di comune accordo si per fermare la fazione contraria che si faceva piu grande, si per assicurare il stato deputarono verso l'armata.' Cp. Parl. Hist. xvi. 235.

London to reinstate the Speakers and the fugitive members, in whom it recognised the true Parliament, to restore to the assembly freedom to sit and vote, and to punish the acts of violence that had been committed. The fugitive members, fourteen of them from the House of Lords, about a hundred from the Commons, appeared on Hounslow Heath. They accompanied Fairfax at a review, and rode with him along the front of the regiments. Everywhere they were received with demonstrations of joy, and the cry of 'Free Parliament!' Their presence afforded the army not only a pretext, but a justification for its undertaking to advance against the capital.

The army during the last year had been continually recruited afresh and was in excellent condition. Its advance was assisted by the suburb of Southwark, which had contemptuously declined to take part in the measures adopted in the city, and had refused the artillery sent thither. And had it come to a conflict, the Independents within the city, who had been conquered but by no means annihilated, would infallibly have risen to support the attack. Who would be answerable for the bloodshed and confusion which must follow?

Under these circumstances the Lord Mayor, Aldermen, and Common Council, resolved on the afternoon of August 3 to make peaceful terms with the army. They adopted the declaration of the generals — for how could they venture to defend the injustice that had been done, though perpetrated by their own party and with their co-operation—that the army only sought to replace the fugitive members and restore a free Parliament, and declared that they would open their gates with pleasure, both to the members themselves and to two or three regiments as their escort[1]. At the further demand of Fairfax they evacuated the fortifications on the west side of the city. On August 6 Fairfax entered London

[1] Letter from the city. 'They (the members) shall find all posts and passes open to receive you and them, as also such guards, two or three regiments, as your Excellency shall think fitting for their conduct of the two Houses of Parliament.' Rushworth vii. 751.

with four regiments and his body-guard. In the midst of the column appeared the carriages of the two Speakers and the returning members. The soldiers wore laurel branches in their hats: it seemed more like a mere procession than taking victorious possession. In Hyde Park they were received by the Lord Mayor, at Charing Cross by the Common Council: all seemed like the result of a friendly agreement. The members of the two Houses immediately resumed their places, the Speakers their old seats.

The relation of parties was not yet fully defined by this, for many Presbyterians had fled and returned with the rest. Still it is obvious how great an advantage the Independents had won thereby. The army, which should have been disbanded, took up a dominant position (it occupied Southwark and Hammersmith) over against the city, in which the entire strength of its opponents was concentrated.

CHAPTER IV.

INFLUENCE OF THE AGITATORS.

No one could yet have said which course events would take; either opposite still seemed possible, the abolition or the complete restoration of the monarchy, exclusive domination of one religious faction or tolerance of several, continuance or abridgment of Parliament, entire supremacy of the army, or union with other powers, maintenance of the laws, or even social reform. To estimate the contrary expectations that existed it is only necessary to know that the Pope at Rome solemnly took counsel as to how far the English Catholics should be authorised to unite with the Independents. It was maintained with a certain confidence that the Independents would restore the King and the episcopal establishment, but introduce universal toleration[1].

The King found himself not altogether in bad hands. He was again allowed Anglican worship: some old servants, like Berkeley and Ashburnham, were permitted to be near him: his children were brought to him, his friends might visit him. He again received foreign ambassadors with a certain ceremony in the hall at Hampton Court, devoted from old times to this purpose: the commissioners who surrounded him appeared as his ministers, though forced upon him. The King asserted that he had the word of the chief officers that his crown should not be assailed: in return he had promised not to quit Hampton Court without previous reference to

[1] 'Che una religione sia stabilita cioe l'antica, che e quella del re dentro tutto lo stato e tutte le altre saranno tolerate, dentro le quali altre gli independenti vogliono comprendasi la loro propria, ed ancora la nostra per qualche anno.' Lettera di Londra 19 Luglio.

them[1]. In the style used in the last generation by Cuneo, the terms of the oath of allegiance to be taken by the Catholics was then discussed between them and the King[2].

Parliament, in spite of the influence which the Independents had exerted on its present position, and still exercised every moment in its debates, passed a resolution in favour of once more laying before the King the Newcastle propositions, which were based on the full supremacy of Presbyterianism, and requesting his acceptance of them: for this was required by the agreement with the Scots, a link they were unwilling to break.

The Independents allowed this to be done, but meanwhile entered into separate negotiations with the King, in which terms of an entirely opposite character were put forward. According to these the Parliament was immediately to be transferred to Oxford, and dissolved within some three months; the troops were to retire from the capital and deliver up to the city militia the posts which they had occupied. The Episcopate was to be restored to its undoubted rights, corresponding to the old laws; but at the same time there was to be complete liberty of conscience: no man was to be vexatious to another in matters of conscience, or oppress him in such[3]. At an earlier time it had been stipulated that some specially detested adherents of the King (seven in number, though not named) should be excluded from the general amnesty. Now, only four were named—Bristol and Digby, Worcester and Newcastle: some others were to be threatened with banishment and temporary sequestration of their property. Finally, a more popular system of administration of justice was contemplated. The King was astonished at the extent of these proposals, but, as he was rightly told, had they been less comprehensive he

[1] From the King's conversation with Lauderdale, in Burnet, Hamiltons 324.

[2] From some expressions in a request of his for help the hope was reawakened at Rome that he would yet be converted. They were greeted as the first rays of grace shining upon him. But in reality there was as little idea of it now as ever.

[3] Articles of agreement between our Sov. Lord King Charles and H. E. Sir Thomas Fairfax with his Council of War. In Fairfax Correspondence, Civil War i. 394.

would not have ventured to believe in their sincerity. They bore on the face of them the character of Independentism: he could not accept them as they stood, but in several points they pleased him better than the Presbyterian terms. To the proffer of the old propositions he replied that the scheme of the army seemed to him better suited to form the foundation for a lasting peace. He protested afresh his determination to secure the Protestant creed with reservation of some indulgence for tender consciences, the liberty of the subject, the privileges of Parliament, and the laws: at the same time he expressed a wish to discuss these propositions in personal intercourse with Parliament and make the acceptance of them possible. It is known that this answer was composed in concert with Ireton and Cromwell, in a garden house at Putney, where the head-quarters of the army lay. The two leaders gave it to be understood that they intended to base a definite treaty on these proposals. Ireton said that if Parliament made opposition, it should be cleansed of the obstructives, and cleansed again until an agreement was obtained. Cromwell smote on his breast, and begged the King to have confidence[1].

Cromwell then spoke with full appreciation of the moral attitude of the King, and referred with emotion to the scene of meeting with his children: he exhibited even a sense of the importance of the monarchy. He was heard to say that no man was secure of life and property unless first of all the King obtained his rights. To other officers, as well as to him, it seemed the most suitable plan, considering the unbroken strength of their opponents and the possibility of a reaction, to secure their own future by a treaty with the King and Parliament. Their expressions have been declared to be hypocritical, in fact merely intended to deter the King from accepting the other propositions, but this in any case it was certain he would never do. Moderate Independents might honestly seek to discover the points in which their interests would coincide with those of the King and the Presbyterians; they might wish to bring about a treaty

[1] Huntingdon's reasons for laying down his commission. In Maseres 402.

which could be accepted by all[1]. No doubt the interest of the army would always have weighed most with them, only they would have taken account of the two other parties. It was a view which was suggested by the state of things, and at the time filled the whole horizon; but it was certainly such as men's views usually are, when they are still under general discussion, and being neither definitely formulised nor fixed by binding agreements, may be given up again without scruple.

What was to happen if the hostility of the contending interests proved unconquerable. In the army itself there was still a powerful faction which would listen to none of these agreements. It is not in fact true, as has been asserted ever since, that every kind of manifestation in the army proceeded from the generals themselves. It had long before been perceived that in the Independent party there were two separate views current. The leaders would have been content with an arrangement with the King on the terms accepted in his answer, the mass would not have been satisfied with this[2]. Still less would the latter have been contented with the concessions now contemplated.

When the King said that tender consciences must be spared, this was by no means the liberty of conscience which the Independents on principle desired. The King was willing only to admit a limitation of authority in church matters: their theory, on the contrary, aimed at the separation of Church and State. They refused to the civil power any authority to interfere in matters of religion, as every man had a right to believe and to worship God as he pleased[3].

More than this, they desired a fundamental change in the State and the Government, not a mere union of the Independent and Parliamentarian magnates with the King, which would merely lead once more to the old oppression. The

[1] Memoirs of Sir John Berkeley, in Maseres 361. 'They would comprise the several interests of the Royal, Presbyterian and Independent parties, as far as they were consisting with each other.'

[2] Baillie to Blair. Letters ii. 408.

[3] Reliquiae Baxterianae 53. 'That the civil magistrates had nothing to do to determine of anything in matters of religion by constraint or restraint, but every man might not only hold but preach and do in matters of religion what he pleased.'

army had taken up arms to restore the rights and liberties of the nation, according to its judgment and conscience; but as yet nothing had been changed, either in the oppressive administration of justice, or in the arbitrary dealings of Parliamentary committees, or in the burden of tithes and the excise, or in the persecution of the faithful.

These sentiments now found their regular expression in the above-mentioned institution of Agitators, a name which characterised the thing exactly. It was intended to form a representation of the troops. Elections were held in the companies, and from those elected the agents or Agitators were chosen by a second process of election; agents they were meant to be, Agitators they became: but they were intended to represent the interests not of the separate divisions but of the whole body. They had been formed with the connivance of the officers, but in a short time assumed an attitude of entire independence of them. There was a distinction between the council of war and the council of the army: in the former Cromwell had the chief influence, not in the latter. They imputed to him that he had always regarded the army merely as a means of attaining his political ends; that it had been all-important to him to drive away his opponents and rivals, like Stapleton and Hollis; that after succeeding in this, he had forgotten the cause of the army and of the people; that he was seen to sit among the usurpers, and contribute to increase the burdens of the people; they had honoured him so long as he had gone to work uprightly, but now he had dealings with the malignants who surrounded the King, and interested himself on their behalf. Robert Devereux, Earl of Essex, who to the last had formed a centre for the Presbyterians, had died in the previous year without issue. The report was spread abroad, that the King would make Cromwell, for his good services, Earl of Essex.

On the side of the accusers were some few superior officers, such as Colonel Rainsborough, who was not wanting in the energy requisite for leading a party, and Lilburne, who had largely contributed to the ferment by various pamphlets.

In October the Agitators of five cavalry regiments, among them Cromwell's, Ireton's and Fleetwood's own regiments,

united, and formulated their wishes in two papers—'The True Statement of the Cause of the Army' and 'Agreement with the People'—in which their demands were set forth, both for themselves and for the people, with much fire and emphasis. They did not hesitate to lay it before the next meeting of the assembly of officers, held at the head-quarters at Putney. Fairfax was not present, but Cromwell and Ireton were; and denied that this was the opinion of the army. Rainsborough asserted the contrary, and called for the punishment of those who had entered into an understanding with the King. Violent words followed: the papers themselves were referred to a commission, which was to report on them.

The council of the army would not hear of any agreement with the King. A pamphlet was put in circulation, and even brought before the King's eyes at Hampton Court, which said that he must be punished personally, since he had given occasion for so much bloodshed.

Thus there was a division in the armed force which held the power in its hands. Cromwell, who scarcely was misjudged by his companions in arms, would have been content for the time, it appears, with the advantages already gained. What a charm there is in contests like these, in overthrowing our opponents by parliamentary resolutions, and bringing over the majority to our side! It might be an object of his ambition, in the old conflict of the Royalist, Parliamentarian, and Independent interests, to gain the upper hand for the latter, in union with the King, whereby the existence of each individual, and also of society in general, would be secured, with some reforms possibly, but in the main in its present condition. On the other hand, the majority of the soldiers represented by the Agitators rejected all further dealings with the King: God had hardened his heart, or he would have accepted the proposals made to him: God had put all things under the feet of the victorious army, and thus laid on it a duty to settle the country according to their original convictions. The army would have preferred to abstain from all further dealings with the Long Parliament: it demanded the formation of a new one on the basis of an effective representation of the people. It rejected with increasing vehemence, not only the Presbyterian, but

also the Episcopalian system with the modification last proposed, and claimed an absolute right to universal liberty of conscience, the abolition of a series of oppressive taxes, a thorough reform of justice and of the entire public weal. A new political element now emerged from profound darkness into the light of public life: a conscious advance was made towards social revolution.

These ideas became at once personally dangerous to the officers, when the idea was suggested that the army ought to elect its own officers: this was expressed in a pamphlet of Lilburne's, which further said that the army ought to form a council out of the sincere friends of the people, in order to check the usurpation of the Parliament men. The ideas of the Agitators were as little consistent with military subordination, which depends on a relation assumed *a priori* and actually subsisting, as with every other aspect of order. It appeared as though an authority would be created out of the midst of the army, both to command it and to carry out the desired reforms in the nation.

The officers could not possibly let this continue, as they saw their own existence threatened: but what means had they of acting in opposition? The total rejection of the proposals must have caused an outbreak of complete disobedience. They resolved to resist the movement, while giving way to it in part. In a detailed remonstrance against the prevailing insubordination and mutiny, Fairfax declared that he neither could nor would retain the command of them under such circumstances. Military obedience is the indispensable condition of the existence of an army. Would it not have endangered its own internal coherence, if it had carried out the plan of electing its own officers? At the same time he made several promises corresponding to the wishes expressed by the troops, which should be performed when obedience was restored. There were some regiments which were not satisfied, and appeared at the places of assembly with tokens of resistance: but by far the greater part professed themselves content. They signed a pledge to be satisfied with what the general council of officers should determine in respect to the army and to the entire kingdom.

This example influenced also the malcontents. A court martial was held in the open field which sentenced to death three of the chief mutineers, one of whom, selected by lot, was shot in front of his regiment. In the latter half of November obedience might be considered as re-established: and Parliament voted its thanks to the generals who had most contributed to this result.

Just as the extreme tendencies towards a general dissolution of society came to light among the troops, who had taken up arms of their own free inclination, and thought that they had acquired by their victories the right to establish universal autonomy, so also it may be stated that they were first checked in their course by the necessity of military discipline, the thing which of all others is furthest removed from all self-assertion: the troops obeyed their officers, whose commissions were derived from a totally different order of things from that which they recognised.

They had not, as has been said, given way unconditionally. The promises which Fairfax had made, at the moment of the crisis, contemplated a new Parliament, which should proceed from free and equal elections, and wherever possible fully represent the people. In the addresses in which the regiments recognised the general as the chief set over them by God, they repeated their old demands, security for the rights and liberties of the realm according to the assurances given to the people. The officers could not possibly place themselves in direct opposition to the tendencies prevailing in the army, which after all many of them privately shared. While the troops submitted to pay the old military obedience, the officers gave scope to the democratic ideas which had increased in the army. An understanding was entered into between the officers and the Agitators, by which the former retained their authority, but the latter maintained their rights.

The King immediately discovered what this meant. When he saw himself threatened by the Agitators, at the moment when the contest broke out, he had taken counsel with the Scottish delegates, who came to him as friends, as to where he should seek refuge from them, whether in London, or perhaps at Edinburgh, or somewhere on the

Border, say at Berwick, so as to have support against extreme dangers. But this was not altogether within his own option. In conformity to his promise he first asked the leaders for permission to quit Hampton Court. They were doubtless well disposed to grant it, for they too would not let him fall into the hands of the Agitators[1]. But how could they have allowed him to go to the capital or to Scotland, where their chief opponents would have employed his presence against them! Moreover this was not the King's intention. He knew that the Scots would grant him nothing if he fell again into their power, but might do so if they saw themselves threatened by his connexion with the army. He expected, if in the then impending contest the officers gained the upper hand, that they would fulfil the promises made to him, but that if they did not remain masters, they would seek support in him, the King[2]. Not without political calculation in his own way, as to the means of deriving advantage from the hostility of parties, Charles I resolved to fly to the Isle of Wight, where Colonel Hammond was in command, a man who a short time before had expressed his displeasure at the wild fury of the soldiers, with whom he would have nothing more to do. In the evening of November 10, Charles I quitted Hampton Court in apparent flight. Attended by Ashburnham, Legge, and Berkeley, he found the gates of the park, through which he issued, unguarded: he was unpursued on his way through the wood, where he himself acted as guide: it seems as though a well-considered connivance of the other side had aided him. From Titchfield, where he stayed in concealment, he sent word to Hammond of his approach. Hammond could be induced to give no further promise than that he would treat the King as might be

[1] Grignan, 25th Nov., to Brienne. 'Cromwell et Yerton apparemment l'ont fait aller où il est, pour l'ôter d'entre les mains des agitateurs à le mettre entre celles de Hammond, qui doit à Cromwell toute sa fortune, et aussi pour empêcher en l'éloignant la communication avec les commissaires d'Ecosse, qui leur estoit suspecte.'

[2] Memoirs of Berkeley, in Maseres ii. 375. Ashburnham, whose narrative (ii. 108) gives a report of this, seems not to have followed the best sources for the political considerations.

expected of a man of honour. Charles I felt that he was still a prisoner, but at first he was treated with much distinction. Here also the old respect for the name of King attended him. As he passed through Newport, a lady came out of a house to present to the King a rose which at that late season had bloomed in her garden, and to offer him her good wishes. In Carisbrook castle — one of the fortresses with which Henry VIII had strengthened the coast defences—whither Hammond conducted him, he enjoyed tolerable liberty. No one was at first denied access to him: old friends and servants flocked round him. The King was still very far from despairing of his cause. While in the Isle of Wight he added some concessions on single points to the proposals made at Newcastle, and renewed his request for personal negotiations in London: but he still held to his resolution never to assent to the definitive abolition of Episcopacy or to the sale of Church lands. He still hoped to have in this the support of the superior officers.

He had however calculated only that they would win the day or be beaten; it had never occurred to him that they would recover their superiority as against the Agitators, and then adopt most of their ideas. The representative whom he sent to them to Windsor was surprised at the coldness and reserve with which he was received. At the dead of night, in a lonely place, he had an interview with one of the chief officers, formerly well disposed to the King, who told him that though it looked as if they had retained the upper hand, yet in reality it was not the case. Cromwell had been visited by a large part of the soldiers, perhaps two thirds of the whole, who had assured him that they were determined not to recede from their old views, and that if he opposed them they would make a division in the army and try to destroy their opponents[1]: that feeling the danger which might hence result to himself, Cromwell, under the mediation of Hugh Peters, had joined the violent enthusiasts: that the idea of holding to the King had again occurred to him, but that he had rejected it, seeing that even in case of victory the best that

[1] 'A schism being evidently destructif.'

he could expect would be nothing more than pardon: but that as he could not bring the army over to his side, he had no resource but to go over to theirs. Cromwell intimated to the King's representative that he would serve the King, so long as it was possible without ruining himself, but that he could not be expected to perish for his sake[1]. No notice was taken of the King's proposals.

Parliament also was destined by the Agitators to destruction, but for this things were by no means ripe. Their immediate object was to crush in the bud any agreement with the King, and in this they fully succeeded. Under the influence of the officers, who in turn depended on the public opinion formed in the army, four bills passed the Houses in the middle of December, which were fundamentally at variance with the King's views.

Therein Parliament in the first place demanded the entire military authority, together with the right to impose the taxes necessary for the maintenance of the army, unconditionally for the next twenty years, whether the King lived or died: after that period this power might not be wielded by the crown without the assent of Parliament, but might be by Parliament without the assent of the crown, for every resolution passed by the two Houses was to be considered as having the royal assent[2]. The concession which the King offered was temporary and limited to his own life; the scheme demanded by Parliament would have made the military power for ever independent of the crown.

Parliament moreover wished to be itself equally independent of the crown. The King was to create no new peers without the consent of the two Houses: the nominations made by him since his recovery of the Great Seal were to be cancelled.

Both Parliament and the army had always been most

[1] 'It might not be expected that he should perish for his sake.' More correctly printed in Ludlow's Memoirs i. 230 than in Maseres.

[2] 'If the royal consent to such bill or bills shall not be given in the House of Peers within such time as the Houses shall judge fit and convenient, that then such bill or bills shall nevertheless have the force and strength of an act or acts of Parliament.' Parl. Hist. xvi. 400.

apprehensive that acts done in direct opposition to the King's commands might some day serve as the occasion of judicial prosecution against individuals. The demand was now addressed to the King that all orders and decrees against the acts of Parliament and its adherents should be declared null and void, and that the judges should be for ever forbidden to trouble any man in respect of them.

The four bills and the propositions appended to them are the expression of the preponderance newly gained by the army—a manifesto of the alliance between the leaders for the time, the generals, and the Agitators. Not only a change of the constitution was aimed at by them, but also a legalisation of the régime of force at that moment existing.

In order not to be checked in its proceedings from the side of the city, where an independent spirit still exhibited itself, Parliament demanded the right to adjourn at whatever time and to whatever place it pleased[1]. If it should still come to negotiations with the King in person, it intended that they should not take place in London. What could be the object of such a meeting? It was assumed at the time that the prospect of it was kept open by Parliament merely in order not to be compelled to make offers side by side with the demands which it made; also that, in case of his acceptance, it wished to reserve all further points. But the King could feel no temptation to assent. It had been remarked, especially by the Scots, that he would thereby burden himself and his people with the army for ever, and make Parliament a mere sub-committee of the army[2]. Charles replied in a similar strain, that he would never deprive himself of his sovereignty, especially in such a way that his successors, as well as himself, would be unable to regain it, nor would he hold himself liable for the oppression which thereby would fall upon his people. He considered it an unheard-of thing to decide the most important points before negotiation began, and declared himself resolved to accept no acts that were offered to him before a personal interview; that neither

[1] Grignan to Brienne, Dec. 9. 'En créance qu'estant en cette ville il les pourroit faire changer (les autres bills).'

[2] Burnet, Hamiltons 327.

dislike to his present position, nor fear of what might be impending, should ever move him from this determination. He not only refused the proposals, but rejected altogether the course adopted by Parliament[1]. Parliament surely must have expected this; perhaps did expect it. The general impression was that the dominant party wished to bring about a complete breach with the King, by presenting the bills to him for simple acceptance or rejection.

Now at last the King found that he had fallen into the hands of a decidedly hostile power: he was treated in the Isle of Wight altogether as a prisoner. The tone taken in Parliament was as though he had committed a crime in rejecting the four bills: there was a talk of confining him in some inland castle and bringing him to trial. Ireton intimated that the King was refusing to his people security and protection, the return for which would be obedience; but the latter could not be had without the former. Cromwell appears as a man who, after hesitating a moment, has chosen his side, and advances in the direction of his party with full vehemence. He now repeated the words of the Agitators, that God had hardened the King's heart; that he could not be conciliated, and that the brave soldiers by whom he had been defeated and conquered must not be exposed to his vengeance: that Parliament must expect nothing more from him, but should govern by its own power and resolution.

Parliament now in fact decided on this course: it resolved henceforth to send no addresses to the King, and to receive no messages or letters from him: to send any communication to him or receive any from him without the leave of Parliament was to be high treason (Jan. 3). The King was virtually excluded from his kingdom.

The general assembly of the army accepted these declarations with joy. It asserted that Parliament could have asked for nothing less than was contained in the last proposals, without endangering the safety of itself and of all who adhered to it, without deserting the cause for which God had declared in the result of the battles. It assented without

[1] His Majesty's answer, Dec. 28, 1647.

opposition to the resolutions now passed, and promised to defend them against all.

The fact that the superior officers who sat in Parliament exhibited not only no leaning towards the King, but the harshest aversion to his cause, completely put an end to the misunderstanding between them and the common soldiers. At Windsor, where the General Assembly met, the restoration of unity was celebrated by a festival. Deputies went to the various garrisons, in order to give an account everywhere of the new turn of events, which the soldiers regarded as the triumph of their opinions, and to arouse corresponding sentiments. Seven of them, with a number of officers, laid the declaration of the army before Parliament, which voted them its thanks. Thus all variance between the army and its officers, and between the army and Parliament, was removed; and at this moment they all made common cause against the King.

In their first zeal they had intended to pass formal ordinances against the King's authority; but this was as yet avoided, the more so as no special constitutional forms were needed to carry on the government of the country without reference to him. It sufficed to do as was done by a resolution of January 3, namely, to renew in relation to England and Ireland, without reference to the Scottish members, the authority possessed by the Committee of the two kingdoms: the only thing needed was to replace by some Independents the excluded Presbyterian members. The twenty-one members of whom it was composed, seven lords and fourteen commoners, thus took into their hands the supreme power. Among the latter we find the two Vanes, Haslerig, and Cromwell. Northumberland, Warwick, and other Presbyterian lords fought for some time against agreeing to this: the King's friends expected a breach between the two Houses; but on January 15 the Lords also assented to the resolution of the Lower House.

What then immediately came to light was the domination of the men who had obtained the lead in the Parliamentary struggles, and who were popularly named Grandees. Each of these ruled absolutely over a faction: whoever did not join the

factions fell at once to the ground. The most weighty affairs were arranged beforehand in the Committees by a few persons, and then came before the Lower House. But it was asserted that all the parts were settled beforehand, who should make the proposal, support it, deal with this or that part of the question, and close the debate. A most extraordinary position was enjoyed by those who managed money matters. Great sums were raised by loan; an important part, some said half, of the property in the kingdom was in sequestration, monthly contributions were collected, the excise brought in a considerable revenue: but the millions which came in, in money or money's worth, passed through so many hands, that it was impossible to keep account of it all: the old arrangements of the Exchequer no longer existed.

Thus, under the forms of a Parliament, which was meant to represent the rights of the nation, some few had possessed themselves of all authority, and constituted, as was said at the time, an oligarchy with dictatorial power[1]. And woe to any one who should rise against them. The Grandees desired nothing better than a manifestation made by their opponents, so as to be able to throw them into prison and seize their property. Everywhere there were, or were supposed to be, spies: the informers received a portion of the fines.

A committee, already appointed to suppress distasteful pamphlets, was now furnished with new and strict instructions, and rewards were offered to those who should denounce the secret presses and anonymous authors[2]. The drama was entirely forbidden; and stage, galleries, and benches removed from the theatres. If a case occurred, the players were to be punished as vagabonds, and the spectators subjected to a fine.

Fairfax had sent two regiments to Whitehall; for in the contest with the King the Parliamentary and military leaders

[1] Walker, The mystery of the two yuntos, in Maseres i. 337.

[2] Rushworth i. 957: 'To gratify such as shall make any discovery of the authors or presses of malignant and abusive sheets.'

were now most closely united. The soldiers exercised a sort of police authority, and prosecuted malignants and Papists: but what might not be included under those names! The prisons were filled with Royalists, alike Catholic and Protestant: others were banished or took to flight.

Thus those who desired to introduce universal liberty appeared as the wielders of an absolute, selfish, and oppressive power. Ideas in their nature mutually exclusive were brought, through love of faction and power, to walk hand in hand.

CHAPTER V.

THE SO-CALLED SECOND CIVIL WAR.

We have not lost sight of the chief disputes which had caused the breach between the King and Parliament, concerning which, as the King did not give way, nothing had been decided by all these acts of violence. The positive character of the opposition now coming to light, and the evident usurpation by the oligarchy in Parliament, operated instead to give the King's name once more a footing with the people. The contest hitherto had been waged against the lawfulness and extent of the royal authority: but in the encounter of selfish factions men began to discover that a chief power, supreme but not unlimited, not directly dependent on a change in the majority, and personally comprising all general interests, was politically an advantage. The King had innumerable adherents in the capital: there was not a county in which associations in his favour, as the phrase was, 'for the liberation of the King and Parliament,' had not been formed. Though the Royalists also were busy, the movement derived its character chiefly from the fact that the Presbyterians found the turn which affairs had taken, and the predominance of their hated opponents, quite unendurable. The Commissioners of the Scots, who saw themselves no longer admitted to any committees, and their despatches and memorials, as well as the terms of the last treaty of union, unnoticed, were most excited of all. They already noted the intention to exclude their countrymen from Ireland: it was obvious that the victory of the Independents was a defeat for the Presbyterians in general, and especially for the Scots.

Under these circumstances what the King had expected

came to pass. The Scottish Commissioners gave up imposing on him the strict law of the Covenant in respect to religion. Before he had been subjected to all the restraints which made him completely a prisoner, they had appeared in the Isle of Wight, and concluded a secret treaty, based on the proposals formerly made by him in his Newcastle answer, and then so stubbornly rejected by the Scots. The King therein undertook to recognise the League and Covenant between England and Scotland; for the maintenance of the position hereby accorded to the Scots was the chief aim of the Commissioners. He had also to admit several other limitations, which related to old disputes between the two countries, and favoured exclusively the Scottish interest; but the principal point for him was that he was not compelled unconditionally to accept the Presbyterian Church system. As he had proposed, it was only to be temporarily adopted, for a period of three years, and the permanent arrangement to be reserved for subsequent determination in Parliament: no one was to be compelled to accept the Covenant. The Scots, on their side, promised to take up arms, if it could not be secured in any other way, for the prerogative of the crown, understanding thereby its rights in relation to the military power, free nomination to dignities and high posts of trust, control of the Great Seal, a veto on Parliament: the present assembly to be brought to an end speedily, and personal dealings with a full Parliament, in honour, safety, and freedom, to be procured for the King [1]. It is noteworthy that they guaranteed to the King the very rights which were denied him in the four bills: they contemplated the union of the two kingdoms on a basis much more advantageous for the crown. The three commissioners, Loudon, Lauderdale, and Lanerick, pledged themselves to do all in their power to get Scotland to carry out the points here promised, which, in their view, would be done: and to risk their property and even their lives for the cause.

[1] 'A full and free parliament in England, and that his Majesty may be with them in honour, safety, and freedom, and that a speedy period be set to the present Parliament.' Clarendon's Rebellion v. 105.

It was an arrangement very like that which Charles I and his Scottish friends had contemplated in 1641, before his journey to Scotland, and again in 1644, at the time of the Uxbridge negotiations: the concessions which the Scottish commissioners then refused they now decided to admit, in prospect of the danger threatening them from the opposite party: for the restoration of a monarchy, limited indeed, but endowed with suitable rights in connexion with the national interests of Scotland, they were now ready to involve their native land in war.

Lord Holland was concerned this time also, since the agreement was on the principles for which he had contended for several years: he received from the Queen, in the name of the Prince of Wales, a commission as general of an army which was to liberate the King from his imprisonment, and restore the freedom of Parliament. Many old officers of the royal army gathered about him. The young Duke of Buckingham and the Earl of Peterborough, with their brothers, were ready to stake their lives and fortunes in the cause. The Scottish commission was in close communication with Marmaduke Langdale and Philip Musgrave, who enjoyed great influence, the one in Yorkshire, the other in Cumberland: they too received in the name of the Prince of Wales royal commissions with very extensive powers.

The main question was then whether the Scottish Parliament would sanction the proceedings of the commissioners and give its consent to the war. In the Church commission, which was as little as ever inclined to give up the unconditional establishment of the Covenant in England, it found no approval: on the contrary, the King's promises were declared unsatisfactory, because his preference for Episcopacy and his dislike to the Covenant were everywhere visible in them. But the Church commission had now to learn that the nation no longer depended entirely upon it. The general feeling was that the agreement so solemnly made had been broken on the side of England: they were ashamed of the surrender of the King, which had given the nation an evil name throughout the world: the growing strength of the Independents left nothing to be expected but an increasing

disregard of Scottish interests. In many places also a natural sympathy was awakened for their hereditary King. Thus it came to pass that the elections to the new Parliament went in favour of the agreement effected with the King. The leaders of the rival parties were Argyle, who now as ever held to the strict Church view, and Hamilton, who represented the moderates: this time Hamilton and his friends gained a complete superiority over Argyle. The committees also of the Parliament, which met in March, were chosen in the same interest. They had still a hard battle to fight with the Church commission, which still maintained that the King must be bound by oath to establish the Presbyterian system in all the three kingdoms, and that the repression of the malignants in England ought to be aimed at, not alliance with them[1]. It is remarkable that the threatened supremacy of the Independents did not more strongly arouse the religious apprehensions of the Church party: but their view was limited by old antipathies that were directed to other quarters. But the committees, the Parliament, and the people, comprehended the full danger that threatened the Commonwealth, and approved the agreement with the King. In conformity with their decisions some very precise demands were at once addressed to England. They were to the effect that the King should be allowed to treat with Parliament in freedom, safety, and honour, and that for this purpose, in order that it might be possible for all honest members of Parliament to take part without danger in these dealings, the army under Lord Fairfax should be disbanded. It is obvious that an affirmative answer was not to be thought of, nor was any such expected in Scotland. At the same time a resolution had been passed for assuming an attitude of defence and preparing for war; and this was done immediately throughout the country[2]. Hamilton, thanks to the activity of his party, was enabled to take more decided steps than properly

[1] 'To have religion settled first, and the King not restored, till he had given security by his oath to consent to ane Act of Parliament for enjoying the Covenant in all his dominions.' Baillie iii. 33.

[2] Already, on April 26, Montereuil writes, 'On nomme déjà tous les officiers:' but he will not yet send the list: it was however more correct than he believed.

suited his hesitating nature: he received the chief command. The most celebrated of the old generals, such as the Lesleys, adhered to Argyle; but Hamilton gained others, like Middleton, who had lately made himself a reputation in the Highlands: he was named Lieutenant-General of the infantry, Baillie of the cavalry: the highest post under Hamilton was accepted by the Earl of Callander, who after the Pacification of Berwick had espoused the royal interests. In this manner were the officers named and levies raised: the dependents of Argyle remained virtually excluded from the new army; the Church party resisted vainly at every step. It was the first time that Royalist proclivities gained an advantage over the strict Church tendencies. Under the impulse of the latter the Scots had contributed most towards breaking the independent power of the King: now the moderates had again the advantage, and it seemed as if this would lead to a restoration of his power.

Marmaduke Langdale commenced hostilities by surprising Berwick (end of April): he hoped from thence to rouse the north of England. He at once summoned the governor of Holy Island, who was reported to dislike the imprisonment of the King and the violation of all the laws by Parliament[1], and the Royalist gentry of Northumberland and Durham to declare for the King: many of them actually came over and entered the King's service. In like manner Philip Musgrave one evening seized Carlisle: he was expected by the Royalists, and the other side did not venture to move. All Westmoreland and Cumberland were filled with warlike bustle: out of Yorkshire and the County Palatine came new levies of horse.

Meanwhile Byron had occupied Anglesey, from whence he roused his old friends in Cheshire and North Wales to resistance against the Parliament. In South Wales Colonel Poyer held Pembroke Castle: he refused at the command of Parliament to surrender his strong castle to the general, whom he designated King Fairfax, saying that he would maintain the

[1] Letter to Captain Batten in Rushworth vii. 1106. Haslerig and Batten to the Speaker, Cary i. 411.

cause of the true King against him: he raised the red war-standard and summoned the neighbouring gentry to take up arms. Many promised him their help. Petitions in favour of the King and of the Book of Common Prayer were put in circulation. It is asserted that in Cornwall nearly 4000 men assembled under the King's banner. The troops wore blue and white ribbons in their hats, with the inscription 'We wish to see our King.'

The movement seized also in a remarkable manner on the fleet which lay in the Downs. The desertion of the fleet had chiefly occasioned the misfortunes of Charles I, and the Presbyterian sentiments, which then had struck the first blow, had always prevailed among the sailors; but these now operated in favour of the King. The fleet also desired personal communication for the King, the observance of the old laws of the land, above all the dissolution of the Independent army. The attempt to force on them, as vice-admiral, Colonel Rainsborough, a member of the army of the most decided type, who had now made his peace with Cromwell, caused the outbreak of an actual revolt. A number of ships quitted the Downs to sail over to Holland, whither the young Duke of York had lately succeeded in escaping. The leaders were presented to him at Helvoetsluys, and implored him to be their admiral. In a short time however the Prince of Wales arrived in the Netherlands, and took the chief command, for which he was in years more capable: we find him soon afterwards cruising on the English coasts with the vessels that had gone over, but without any marked success.

The cry of the sailors was almost universal in England. Without giving way to the special tendencies of the Scots, the people demanded the observance of the laws, according to which free-born Englishmen were accustomed to be governed, and leave to the King for free personal communication.

When the alliance of the opposite powers, to which the Royalists had succumbed, fell to pieces, all their hopes again revived. Everywhere the old Cavaliers rose. In one of their pamphlets it is said that the black cloud was parting which

hitherto had hung over them; that their fortune was rising again from the lowest ebb; that the bravery of the North was uniting with the spirit of the South; and that on Hounslow, Dunsmore, Blackheath, on all heaths and heights men were gathering at the call of honour. Now they would have the citizens on their side, who, no longer poisoned by city air, were resolved to die on the bed of honour for the prerogative of their King, which implied the liberty of his subjects. Who could see with dry eyes the indignities which the King had to endure? He would long ago have succumbed to machinations and conspiracies, had not the hand of God rescued him. The undaunted Cavalier would seek for peace sword in hand, but would also exact retribution for past crimes. Were there not nobles who had been murdered, had seen their daughters carried off, their homes plundered, because they wished to defend their houses[1]? In an unexpected and singular manner the complaints of the cities corresponded with the views of the Cavaliers. In London it was said that the capital had done most towards carrying on the war, and that the army might well be content with what the city had done; but yet it wanted to exact its arrears from the city, and oppressed it cruelly.

Hitherto the relations between the King and Parliament had been the only point debated; the rights of the people had been included in those of Parliament. Now however that an authority had been formed which oppressed at once King, Parliament, and people, the popular antipathy was directed against it. The feeling now began to gain ground that the rights of the crown form a part of the public freedom.

It was declared that the King and the country were in the same case, both injured and abused in their rights; that the prerogative of the King and the liberty of the country were most closely connected with one another; and that there was no hope of restoring the latter before the King sat again on his throne[2]. The holders of power were designated in the

[1] 'Aut nunc aut nunquam, now or never, for if not now, enslaved ever.' Pamphlet of July 1648.

[2] The case of the King stated, 1647. 'Is it not plaine that his prerogative and your freedom must fall together, is not a speedy settlement the only meanes to pre-

style of the times as ambitious Absaloms who were become haughty Rehoboams. The only means of resistance to them lay in the union of all loyal men in order to work with all their might for the restoration of the King. The Londoners were heard to say that they would spend as much more to restore the King and avenge themselves on their oppressors.

The prevailing party sought to check this inclination by a detailed statement of the King's transgressions in the style of the old Remonstrance, and this time also avoided laying it before the Lords: it was merely the work of the Lower House, which had many debates over it, for the imputations raised did not seem to all to be well founded. A minority, considerable under the circumstances (fifty votes against eighty), declared against it at the last division: but to the majority the declaration appeared necessary in order to explain to some extent, as well as to strengthen, the proceedings taken against the King. The accusations were directed no longer, as formerly, against his bad advisers, but against himself, and a readiness was evinced to carry on the government without further reference to him[1]. This time however the declaration produced an effect contrary to what was intended, being without the religious impulse which had given its effect to the first, and being intended less to destroy a government that had grown hateful, than to pave the way for a new one that already excited disapproval. Most men considered that Parliament, in undertaking to govern without the King who had summoned it, was committing a flagrant usurpation. Declarations which were secretly put in circulation in the King's name found general favour. Parliament confiscated and burned the copies which fell into its hands, but they were nevertheless spread abroad in the city, in the country, and even in the army: the pains which Parliament took to discover their origin gave them all the greater weight, as leading to the conclusion that they

serve them (your liberties and estates), and is there any probability of settling till His Maj. be seated in his throne?'

[1] Journals of Commons, Feb. 14, 1647/8.

really proceeded from the King[1]. The reports of the movements in Scotland gave the liveliest satisfaction both in the capital and in the provinces: the conduct of the rulers in England in entering into negotiations with the Scots, and sparing nothing to win over their leaders, was due to their fear less of the strength of the Scots than of their influence over England[2], or perhaps both motives were combined. Had they not been afraid of the Scots they would have entirely disarmed the city and dispersed the Common Council. At the same time apprehension of a rising in the city deterred them from encountering the Scots with the vigour which would otherwise have characterised their views and actions[3]. Effects of this feeling were conspicuous in Parliament even under present conditions. The leaders expected to find themselves in a position to carry into execution one of the demands contained in their four bills, namely to prorogue Parliament and intrust the exercise of the supreme authority to a committee in its stead[4]. They abstained from so doing because it might easily have caused an open insurrection. Mazarin said that the King ought to be thankful to his enemies for having rejected conditions which would have been most burdensome to the crown, and for having issued offensive manifestos against him, for that public opinion had been thereby won over to his side.

A tumult was caused in London about this time (April 6/16) by the apprentices who would not be debarred their Sunday

[1] Grignan, Nov. 24. 'Ils font une recherche si exacte de l'original, que l'on dit être écrit et signé de sa main (du roi), qu'il est difficile de croire qu'eux mêmes ne soient pas persuadés qu'elle vienne de sa part.'

[2] Ibid. 'Leurs commissaires doivent offrir des grosses sommes d'argent au Marquis d'Argueil et à ceux qu'ils croient les moins inclinés à la guerre.' Turner (52) directly accuses the then Provost of Edinburgh.

[3] Ibid. Feb. 18. 'Ils ne peuvent s'assurer de la ville de Londres, dont les habitants et le commun conseil ne se veulent point ranger de leur party. La connoissance des bruits que font ici courir les amis des Ecossais, que leur armée est de 24 m. h., leur donne de l'apprehension que cela ne relève le courage de la ville de Londres et de toutes les provinces.'

[4] Ibid. 'Dans leur conseil secret ils ont proposé, au cas que les Ecossais avancent, d'ajourner le parlement jusqu'en Septembre, et d'établir cependant un comité de personnes toutes de leur party, qui demeureront à Londres pour donner ordre aux affaires (March 30).'

amusements outside the gates, and held their ground against the attack of the militia, and even of some detachments of regular troops, so that for a moment they were masters of the city: but no great consequences resulted, as they were without leaders, and were put down the next day without difficulty: but they had given cheers for the King, and exhibited the dislike of the populace to the existing order of things. It was said in the city that the leaders of the army and their adherents in Parliament had succeeded in alienating Parliament and the citizens from each other: an honourable man might be deceived once, but not a second time: and now they were seeking to separate them from their best friends, the Scots, but that should not be done: that these Grandees were a worse faction than ever the Spanish had been, and that reconciliation with them would mean ruin of religion and law[1]. Cromwell is said to have declared that the city must either be brought to better obedience or laid in the dust.

Gradually,—for between the opinions of a capital and those of an assembly sitting in it there operate unavoidably mutual influences of very various kinds,—at the end of April or beginning of May, a most extensive change in the sentiments of Parliament was observed. The Presbyterians regained the preponderance: the Independents either gave way for the moment, or were in the minority. Resolutions for increasing the power of the military commanders, which had passed the Lords, were rejected in the Lower House. The city was restored to full control over its militia, and allowed to name the governor of the Tower, and the duty of guarding the Parliament was again intrusted to it. The troops of Fairfax quitted the posts, of which they had taken possession during the tumult in the previous year, and the aldermen who had been imprisoned in consequence were again set free[2].

Still more significant was the revocation of the decree made

[1] Arguments against all accommodation and treatys between the city of London and the engaged Grandees; April 4, 1648. The honest citizen or faithfull counsellor of the city of London; May 3, 1648.

[2] Grignan ascribes the initiative to the Presbyterians.

at the beginning of the year about the King and the government. It was resolved by a considerable majority—for the moderates who had retired had now returned—that the constitution of England, according to which King, Lords, and Commons co-operated in the government, should not be altered, and that without regard to the divisions of January 3, the proposals made to the King before his flight to the Isle of Wight should be repeated, and negotiations opened with him about them [1]. On May 19 Parliament sent a deputation to the Common Council, to inform the city of these resolutions, and to begin the restoration of the old relations of mutual confidence and co-operation. The Common Council answered that these overtures were like a beam of light breaking through the clouds, and that the city would live and die with Parliament for the maintenance of the League and Covenant. But it was no longer the old idea of the League and Covenant on strict Church principles, in which the city and Parliament united: they agreed unhesitatingly with the adherents of Hamilton, who were now supreme in Scotland, in accepting the King's last proposals as the basis of a future understanding: and the city also required that he should be allowed to deal personally with Parliament, and that the army should be disbanded.

Under these circumstances it would have been of the highest importance to have rescued the King from custody, and to have placed him in the midst of his adherents; and two attempts were made, one soon after the other, to effect this. They were contrived by the society to which Lady Carlisle belonged, and chiefly by the ladies [2]. Once some soldiers on guard had been actually won, and a boat provided to carry the King away to a safe place; but at the critical moment everything was spoiled by unexpected difficulties, or by the watchfulness of his enemies.

The contradiction was most startling: while Parliament was thinking of reconciliation with the King and dismissal of the army, the latter was actually waging war in the name of Parliament against all supporters of these views.

[1] Journals of Commons, April 28.

[2] A Mrs. Whorwood also appears in the King's letters to Colonel Titus, in Hillier's narrative of the attempted escapes from Carisbrook Castle, Nos. xi. xii.

At the beginning of May Cromwell set out with a strong division against the Royalists of South Wales. Some resistance was offered by the feudal castle of Chepstow, which seems to dominate its neighbourhood as though it had grown up out of the ground. While this place, and with it a number of men influential in the country, was being reduced by a subordinate, Cromwell himself moved forward to besiege Pembroke, which was defended with all the more stubbornness, because the chiefs who were shut up there could reckon on no mercy. It capitulated on July 11, but a number of exceptions was made in granting terms to the garrison. Cromwell was less inexorable against the old Royalists than against those who had once borne arms against the King, for the latter were guilty of apostasy from God's light. Three of them were condemned to death, but were allowed to draw lots which should be executed[1].

Meanwhile Fairfax had been operating to clear the ground in the neighbourhood of the capital. In connexion with the agitation within the city and the removal of part of the army from its vicinity, a movement hostile to the Independents broke out in Kent, which also demanded primarily the dissolution of the army. With all the greater fury consequently the divisions, which were collected, dashed upon the armed crowd which appeared in the field. One of the most murderous conflicts of the whole war took place at Maidstone[2]. The streets were barricaded, the open square defended with cannon, and a musketry fire kept up from the houses. It was late at night when the Independents at last became masters of the town; as they said, by the help of God, who fought all their battles for them.

Meanwhile Lord Holland, who this time actually took up arms for the Presbyterian cause, the Duke of Buckingham and Lord Francis Villiers, appeared with a considerable body of cavalry at Kingston-on-Thames, in the hope that Surrey, Sussex, and Middlesex would join them: they announced

[1] Letters of Cromwell's of May 15 and July 11, in Rushworth 1118; Carlyle i. 277; Forster, Statesmen vi. 238.

[2] Memoirs of Mrs. Hutchinson, ii. 146.

their intention to bring the King back to Parliament, and to enforce again the recognised laws of the land. But they did not know the activity of the watchful enemy to whom they were opposed. Before any one had declared for them their cavalry was scattered, and the youthful Lord Francis died of the wounds he received in this encounter: on his body was found a lock of his lady-love's hair. On the other hand, the members of the same party who had risen in Essex, being strengthened by the fugitives from Kent, made a determined defence at Colchester, which could not be overcome by the extremity of want: and everywhere it was seen that the disasters sustained in no way checked the agitation.

It was mainly this state of things which induced the Scots to advance into England before their preparations were completed or their opponents at home pacified[1]: otherwise the friends upon whom they might reckon for the present would be altogether put down. The opinion even of those who did not wish it was that this undertaking would probably succeed, that the Parliament would send Cromwell to Wales, and Fairfax to Colchester, so as to leave free scope for the Scottish army, and that so the sectarian force might easily be dissipated. It would be a good thing no doubt that the King should be restored, but not by these hands and with such evil allies: this would endanger the glorious Reformation for which Scotland had endured so much[2].

We may see what at this moment was still possible. A fresh battle must decide between the moderate Presbyterians and the Independents: but how much depended on its issue? By the victory of the former a monarchy, limited indeed, but still free, and with it the continuation of all legally existing arrangements, would have been saved, and a prospect opened of the restoration of the Episcopal Church within definite limits; the victory of the second could lead to nothing but a republic, and rendered probable a breach with the past in

[1] Burnet, Hamiltons 353. 'If they were prosperous in England it would not be great work to master any opposition in Scotland.'

[2] Baillie to Spang, August 23, 1648 (iii. 51).

the form either of a completely effected and radical revolution on the basis of the rights of the individual, or of the domination of the army and its leaders. Moreover, if the Scots gained the day, there was no need, in the existing state of parties and considering the greater moderation of that which was now supreme, to apprehend the maintenance of that political and religious preponderance at which they had hitherto aimed, though they would not have allowed themselves to be forced back into a subordinate position: a relation of equilibrium between the two countries would have been formed. On the other hand, the victory of the Independents might be expected to cause not only their entire supremacy in England, but also the extension of it over Scotland, and consequently the establishment, at any rate within a short time, of the undoubted preponderance of England in Great Britain. The relations of the European states were such that none of them could interfere decisively at this moment. The French had never yet succeeded in concluding a general peace, the Spaniards especially showing an unyielding obstinacy. There was even a talk of an attack on France to be made in concert by them and the Independents, which in the summer of 1648, when the troubles of the Fronde broke out, might have been very destructive. On this ground the French avoided everything which might have roused the Independents against France, and have caused an alliance between them and Spain. The assistance given by the French to the King's cause was but indirect and slight, very far removed from the persistent help which two years before they had led him to expect. A stronger support was afforded by Charles I's son-in-law, William II Prince of Orange, who had now become Stadtholder-General: but he was hampered at every step by constitutional opposition, which limited his participation. In the midst of the existing divisions of Europe these contests were more than ever purely British—between the nationalities, or rather between the religious and political ideas which pervaded them; and now by the advance of the Scots into England, they were brought to a decisive conflict.

Hamilton appeared in England with pomp greater than befitted even his high rank, surrounded by a splendid body-

guard and attended by a numerous train of nobles. His cavalry was perhaps the best that ever crossed the Scottish frontier, but his infantry was ill-trained, armed more with pikes than muskets, and not sufficiently familiar with the use of them. Although he had formerly served under or beside Gustavus Adolphus, he could not be reckoned a thorough soldier, nor had he the enthusiasm of a ruling idea: his sympathy with the Royalist cause was always influenced by his own personal position and by the circumstances of the moment. His strategy bore the same character. Of the generals who surrounded him, those who knew most about war, such as Middleton and Colonel Turner, who filled the office of Adjutant-General, would have preferred to direct their advance into Yorkshire by the route previously adopted, since the inhabitants there were again more favourably disposed to the Scots, and the cavalry would have had more room to act on the open moorlands: but Hamilton wished first to relieve Carlisle, for which reason they deviated from this course; and when at Hornby, after a considerable advance, the proposal to turn in the direction of Yorkshire was discussed, Hamilton rejected it, because he expected to find a favourable reception in Manchester, and after that to be able to rekindle the flame of insurrection not yet quite extinct in North Wales. This political motive prevailed over military considerations: Hamilton was wont in most cases to give way readily, but on this one point he held firm. In the army too the conviction prevailed that they should find friends everywhere, and with their help would soon reach London. They fancied themselves engaged in a peaceful occupation, rather than in a dangerous campaign. The separate divisions proceeded on their way far apart from each other, without dreading an enemy. Cromwell came upon them in this state. His troops were of sorry appearance, for they had already suffered severely in Wales, and even when united with the division of Lambert, who came from the North to join them, were by no means equal in number to the enemy; but they felt the full impulse of their religious and political principle, and were fighting for their existence. If Hamilton gained a firm position in

England, so that their opponents might be able to rally to him, they were lost. If they conquered him, all Britain was in their hands. Though weaker in total numbers, Cromwell and Lambert were the stronger at every single point where, three days in succession, they encountered the enemy. On the first day they had a very obstinate fight with the English Royalists under Marmaduke Langdale[1], who being ill supported by the main army and ultimately outflanked, retired upon Preston. The town itself could not be held against Cromwell's cavalry, nor the bridge over the Ribble against his musketeers. The Scots did not allow themselves to be turned by this disaster from their line of march upon Wigan and Warrington. In the council of war held on horseback on the open field, the opinion was given that they ought to hold their ground where they were and await attack; but considering the want of provisions and the continued absence of several regiments, it seemed more advisable to continue their march. The unceasing rainy weather, the roads that gave no footing in that deep and boggy country, especially on Wigan Moor, made progress extremely difficult. On this second day the Independents had the advantage of being able to attack in rear the Scottish rear guard, and inflicted serious losses upon it. On the third day Cromwell overtook the advancing force at the pass of Winwick. Here once more a regular battle took place. The Scots and Royalists defended themselves most bravely; once the Independents were forced to give way, but at last they obtained the victory. When the Scots reached Warrington, they found that, in spite of the strong position they had taken up, they were no longer able to cope with the enemy. The long march of two days and two nights without sufficient food had exhausted the strength of the men, they had no ammunition, they had lost all their artillery, and the population around was hostile. In this desperate situation Hamilton was urged to let the infantry capitulate, and escape

[1] What Turner says, that Langdale knew nothing of Cromwell's presence in the army, cannot be reconciled with the narrative in Carte i. 161. Burnet copies from Turner.

himself with the cavalry. It seems that he never formally gave his consent, but the soldiers, the officers, and the other generals were unanimous in favour of this course, and the entire body of infantry surrendered as prisoners of war.

The cavalry fared no better a few days later. After some days' march Hamilton despaired of breaking through with them, and on August 25 he surrendered to Major-General Lambert, to whom Cromwell had intrusted the pursuit[1]. Those about the King tried to comfort him by saying that Hamilton had intended to mount the throne himself. He answered that a wave of his hand would have put an end to such a project; he regarded this defeat as the greatest disaster which could happen to him.

At each stage of these civil wars it was always a great pitched battle which was decisive. As at Marston Moor, all danger to the power of Parliament from the co-operation of the Scots and English Royalists was removed, and at Naseby the monarchy was completely overthrown by the Independents, without the help, nay, even in opposition to the Scots, so now at Preston the influence of the Scots and their ideas upon the Church and realm of England was terminated.

It was very hard on the Presbyterian preachers to be obliged at the order of the government to celebrate this victory in the churches. Most of them contented themselves with merely reading the news and the order; others expressed their astonishment, one might have said their indignation, that God should let the righteous cause be defeated and favour the unrighteous: they added that the sword of Cromwell was after all the sword of God, for he was God's scourge for the earth.

In the South of England all was decided by this event: Colchester surrendered; the Prince quitted the Downs; and the fleet exhibited a change of sentiments. In the North Cromwell pressed on the remainder of the defeated army. He

[1] Mazarin, who believed in fortune, wrote to Grignan on September 11, 'L'on voit bien que le malheur du roi de la Grande Bretagne est encore en force, estant bien extraordinaire que 8 m. h. en defassent 22 m. à plate cousture, si bien qu'on peut dire avec raison, qu'on n'a vu guère de mauvaise fortune s'opiniâtrer si fortement contre un prince que fait celle du roy contre lui.'

was commanded by Parliament to let no new war arise out of the ashes of the old one; to follow up his victory until he had completed it, and above all, until he had retaken Berwick and Carlisle. He was not empowered to enter Scotland, but he had already such a position that he could venture to proceed to invasion on his own account if the necessity of the case seemed to require it. When he crossed the Tweed he requested the Committee of the Scottish Estates to deliver up to him the two fortresses, or else he should appeal to God; that is to say, to the decision of war.

There were still some remains of the defeated army in the field: Sir George Monro had come into Scotland with the troops that had arrived from Ireland a short time before the defeat, and had there been reinforced by new levies: and as yet Hamilton's adherents did not give up the contest. Lanerick, the Duke's brother, thought it possible to defend the frontiers, and perhaps next year to undertake something in the King's favour. But a contrary movement broke out in Scotland itself. The Church had regarded the defeat of Hamilton, which took place on the anniversary of the Covenant, as the actual judgment of God. Beside the political dissentients there arose also the clergy at the head of their parishioners, and they drove the Committee of Estates from Edinburgh. From this rising, the Whiggamores' raid[1] as it was called, the name of Whigs was derived. Nor was it unimportant; it made the resistance of the remains of the Royalists to Cromwell's invasion impossible, and thereby contributed materially to the decision of the great question.

For a moment it seemed as though the two parties would come to blows, but neither felt itself strong and determined enough for this. The adherents of Hamilton allowed the management of affairs to be taken in hand by their opponents, who professed to be friends of Cromwell, and greeted his victory as their own.

On October 4, 1648, Cromwell entered Edinburgh. The

[1] But why? I refer the expression to the battle recently fought near Preston and Wigan, on Wigan Moor, which Turner often mentions. The Scotch movement completed Cromwell's victory.

leader of the Independents was received as if in triumph by the leaders of the Covenanters, who at an earlier time had seen in him their most dangerous and detested enemy. At his first appearance on Scottish soil Carlisle and Berwick had been given up. He now gave it to be understood that as all the confusion of the last few months had been caused by Scotland not crushing the malignants and authors of the troubles, but conferring on them confidential posts of rank and importance, he must take precautions, in the name of the English Parliament, against this ever happening in future. The Committee of Estates as now constituted saw its own interest in excluding his enemies. It promised the next day to take care that no one who had had a share in the last alliance, or had been in arms, should hold any public office without the consent of England. In the next Parliament followed the infamous law fixing the classes according to which this exclusion was regulated in a graduated scale.

The French observed that it was all over with the independence of Scotland, to which they attached so much importance [1]. But the immediate result was merely that Argyle, Johnston, and their party, resumed the dominant position which they had recently lost.

The strict Presbyterians and the Independents had this at least in common, that both were inconsistent with that theory of the monarchy to which Charles I still adhered. Through their co-operation the moderate Presbyterianism, which in any case could and would work with him, had been overthrown in both England and Scotland; but they were by no means agreed between themselves.

[1] Brienne to Grignan: 'Ils oseront tout, et ne songeront pas à moins que de réduire l'Ecosse en province, dont elle ne sauroit se défendre divisée comme elle est.'

CHAPTER VI.

FALL OF THE KING.

WHILE the fate of Charles I was being staked on the dubious issue of battle, he remained in strict custody in Carisbrook castle. His imprisonments had all in some sense been voluntary: he had fled for refuge to the Scots, and not unwillingly had followed the English commissioners to Holmby, and the cornet of Cromwell's army to Hampton Court: in a kind of flight before the Agitators he repaired to the Isle of Wight. At every change he conceived new hopes; during every imprisonment he was busy with open negotiations or secret dealings of the very widest import. Still he had many quiet hours of profound retirement. Among the books which he then read are mentioned, first of all the Bible with commentaries on it, Hooker's Ecclesiastical Polity, the historical plays of Shakespeare, Tasso's Gierusalemme—nothing actually historical, for his spirit inclined less to facts than to the ideal and to theory. He loved to think, and write, and pray alone. Of the state of mind in which he was evidence is afforded by the little book 'Suspiria Regalia,' as it was originally called, or 'Eikon Basilike,' as it was afterwards named, a collection of prayers and self-examinations, which were put into the form of a book by another hand [1], but contained much that was actually of his own composition. They agree in places word for word with what

[1] Herbert (Memoirs 62) states that he saw in Carisbrook castle a manuscript of the 'Suspiria Regalia,' in the King's own hand. A not improbable supposition is, that this manuscript was delivered to Symonds, the King's chaplain, and by him, when himself in danger, handed over to Gauden, who made the book out of it. Kennet, Register 774.

are known to have been his expressions through sources revealed at a much later date. The earlier portions contain much that is spurious, and was thought of afterwards; but the later ones, in which opposition to the Presbyterians is the main topic, and their claims to exclusive dominion in the kingdom are contested, possess historical value. These may very likely belong to the times of this imprisonment. They express throughout Charles I's resolution not to let himself be degraded to the position of a king who may follow neither his reason nor his conscience: he believes himself to merit more gratitude from the people of England by the resistance he is now offering, than by the concessions which he had formerly allowed to be extorted. In the Isle of Wight he was at first, as we saw, treated with much consideration: he was permitted to send for the furniture to which he was accustomed from Hampton Court to Carisbrook castle: the governor attended him out hunting, or he could ride about the island alone. After the refusal of the four bills this ceased. He was no longer allowed the comfort of talking on religious topics with his usual chaplains; his confidential servants were removed; he was confined within the fortifications: every day brought him some new annoyance such as a prisoner has to endure. The unsuccessful attempts at escape increased the severity of the surveillance and seclusion.

Once a great prospect was opened to him while in the Isle of Wight. During the agitation of the year 1648 caused by the Scottish invasion, the moderate party in Parliament had carried the proposal to proceed to new dealings with the King without regard to previous resolutions to the contrary. Although the Scots had since been defeated, the matter nevertheless had its legal result, without opposition from the Independents, who indeed used very magnanimous language[1]. At the King's suggestion Newport was selected for the conferences, and in the middle of September the

[1] Grignan, Sept. 7: 'Les indépendants publient qu'ils luy accorderont davantage à present, qu'ils n'ont plus d'ennemis qu'ils n'auroient fait auparavant.' Cardinal Mazarin (Sept. 11) holds it possible that they will be moderate henceforth, as it would be to their own advantage.

commissioners of Parliament arrived. A house was found in the little place, suitable for the King's abode and for the conferences; and on Monday, September 18, they were opened with the ancient ceremonial. The chaplains, now allowed to return to the King, stood behind his throne: at some distance from him the commissioners took their seats, five lords with Northumberland at their head, and nine members of the Lower House, including Henry Vane, probably the only one of them all who did not wish for peace, and Denzil Hollis[1].

The King's advantage lay in the fact that the commissioners withdrew the four bills, and announced terms very nearly corresponding to those which the Scots had set forth, but more advantageous, inasmuch as there was no longer any need to take notice of the special wishes of the Scots.

It is true that the King was very reluctant to believe in any real result of these negotiations: he would not allow anything to be intermitted on account of them which could be attempted elsewhere in defence of his cause: he himself once excused the concessions to which he agreed, on the ground that they would lead to nothing. The old duplicity of his policy did not quit him in these moments of a serious, if not dangerous position. Still it is worth while to note the points in which the two parties approached an understanding: had there once been an end to vacillation, or had an agreement been concluded, the King would have held firmly to it, and would have been kept to it by the other side.

The first point discussed related to the security of Parliament itself: it required the revocation of all declarations, accusations, and judgments issued against its proceedings, or against individual members. The King, who had always himself demanded an amnesty, raised no objection to this: he took offence at the introductory words, which stated that the Parliament had been compelled to take up arms in self-defence, for it might seem as if the King thus took on himself

[1] Perfect copies of all the votes, letters, proposals, that passed in the treaty held at Newport, by Edward Walker, the first clerk, employed by his Majesty to serve him during that treaty, 1705.

the guilt of having caused the war: but he was told that the words of a preamble were of no legal force, but a mere form of reconciliation, and he determined not to break off on this point. He only made it a condition, in order to avoid injurious conclusions, that no single article was to have any validity till the whole treaty was completed; and vigorously as the Independents in the Lower House opposed the acceptance of this condition, they were not at that time (Sept. 26) strong enough to hinder it.

The second article, whereby the military power, stronger and more extensive than the King had himself ever possessed —for it included Ireland and the Channel Islands—was surrendered to Parliament for twenty years, he accepted now, many as were the objections which he might have felt. His personal motive was very much the same as that which induced the Scots to make their concessions to Parliament. He calculated on removing through the restoration of peace the causes which induced the nation to bear the pressure of so strong a standing force. It had swelled like a flood during the tumult of the strife: might it not return into its old channels when the weather changed? What the storms of resistance could not achieve might be accomplished perhaps by the sunshine of friendly concession.

Every day the hostile influence of the Independents grew stronger; and in order to make peace possible in spite of them Charles gave way on most of the other points. He surrendered to Parliament the nomination to the most important offices for twenty years, recognised all the orders issued by it under the Great Seal, abandoned his own, and consented that the moneys requisite for satisfying the State creditors should be raised in case of necessity without his co-operation. With respect to the punishments which Parliament desired, he made at last only a few exceptions, which did not touch the principle: he granted to the city of London the right of nominating the Governor of the Tower, and definitely renounced his feudal rights as represented by the Court of Wards.

Nevertheless all would have broken down, and the evil consequences would have been imputed to the King, had he

not shown some compliance also in relation to the clergy and their property. In the capital, which was favourable to him, an address was carried praying for the payment of the Presbyterian clergy out of the goods of the chapters. The King at last prevailed on himself to assent to an alienation, though only temporary, of the Church property[1]. He only insisted that it should be revocable by the ordinary legal forms, and that the lawful incumbents should be cared for: the bishops were to be suspended, not abolished, and the introduction of Presbyterianism to have validity only for three years: as to accepting the Covenant, he was as steadfast as ever in refusing this.

The treaty thus completed contained a compromise between the old Newcastle propositions and the proposals suggested in the King's answer to them. It seems to have more importance than has ever yet been attributed to it. It deserves notice as being the final result of the negotiations so long carried on between the King and Parliament: and it is well worth while to discuss the prospects opened by it. The substance of it is that the Scottish system would have been established, but in a more moderate form, and free from the special provincial tendencies of the Scots. Parliament would have been preponderant over the crown for a long term of years, but the monarchy itself would have been preserved. That the King's person was inviolable was throughout these negotiations the assumption on which the Grandees based their demand for security to themselves, as they were not in this position[2]. As against the Independent views it would probably have again taken root in men's minds. And there is scarcely room to doubt that the army, as was expected, must have been overthrown had it come to carrying out this treaty. Moreover the Presbyterian Church would have attained not to exclusive dominion, but

[1] 'To be settled in the crown in trust for the clergy charged with leases for 99 years to satisfy purchasers reserving a rent for the livelihood of such to whom the same appertained.' Oudart's abstract, No. 34.

[2] Northumberland said to Warwick, in reference to the security of the first article, 'The King in this point is safe as a King, but we cannot be so.' Warwick 323.

to a safe position: for public opinion could scarcely in the course of three years have undergone such a change as to bring about its annihilation. The episcopate would not have been destroyed, but would have lost its political importance by its exclusion from the House of Lords: it would not have raised itself very high above the Presbytery[1]. England would have approached much more nearly to the Protestant forms of the Continent, and would have lost somewhat of its stiff peculiarity, but have gained in influence on ecclesiastical movements, especially in France. It would have been a different England, without any marked preponderance of the aristocracy, thoroughly Protestant, but conservative in regard to the throne, less exclusive and egotistical in its relations with the outside world, the champion in every way of the other Teutonic races and nations. The continuity of law would never have suffered any real interruption.

The majority of Parliament was for the treaty. In the debate upon it the Lower House resolved not indeed that they would accept it, for matters were not yet ripe for this step, but that the House found in the King's declarations a basis for proceeding to the restoration of peace in the country[2]. The Upper House unanimously voted the same. The capital manifested the liveliest desire to see the King once more in the midst of it, for the completion of the negotiations.

Meanwhile the army had developed totally opposite views. After holding back for a short time it returned to the exhibition of its ultra-religious and anti-monarchical tendencies in all their vehemence. Already in his despatch after Preston, Cromwell had said that the hand of God was in it all, that the people was as the apple of God's eye, while He rejected kings, and that they must now take courage and destroy out of the land those who troubled it; then would God be

[1] This was the opinion of Archbishop Usher, 'who offered the King his reduction of episcopacy to the form of presbytery:' he asserts that the King was contented with this. Baxter 62.

[2] Journals of Commons vi. 93: 'That the answers of the King to the propositions of both Houses are a ground for the House to proceed upon for the settlement of the peace of the kingdom.'

glorified and the land have His blessing—words deemed dark, which yet are clear. At the beginning of the campaign the officers had opposed the agitation which was recommencing in the army, but gradually they let it take its course. The regiments in which originally it had its chief seat issued urgent addresses for the limitation of the duration of Parliament, and for the punishment of those who had taken part in the last troubles: they demanded the thorough execution of justice upon all, common people, lords, even the King, who must clear himself of the charge of having caused innocent blood to be shed. The officers perceived that at the Newport negotiations the plan had been formed of opposing to them a compact and tenacious alliance. After some hesitation the general council of the army joined the leading regiments in a great remonstrance, which bore the name of the Generals, in which all accommodation with the King was rejected [1]. For under whatever conditions he might be restored, he would always exercise influence over Parliament, and perhaps even in that now sitting win a preponderant party to his side. In the future also, unless a system of election were introduced entirely free from all crown influence, there would be corrupted Parliaments and the fear of a return to absolute power. Parliament was urged to renew the resolutions passed at the beginning of the year, which it had then been understood would lead to the trial of the King: the public weal was the highest law; and who had shown himself so hostile to it as the King? The arguments by which the execution of Strafford had been justified were now repeated. There were cases for which existing legislation had not sufficiently provided: in such cases the supreme council of the nation had authority to proceed.

The Parliament had still spirit enough to leave the remonstrance unnoticed, and to continue the negotiations with the King [2]. But the army was only the more excited.

[1] Remonstrance presented to the House of Commons by Lord Fairfax. Old Parl. Hist. xviii. 161–238, signed by Rushworth.

[2] Grignan thus depicts the relation of parties a short time before, Nov. 26: 'Encore que beaucoup et peut-être le plus grand nombre du parlement soient en effet portés pour la paix, les uns par inclination pour le bien du pays, les autres

It observed that the King persisted in refusing much on which, after former engagements, Parliament might have insisted: and this fact it regarded as proof of an intention to oppose the army, and perhaps to begin a new war, like the last, in league with the King. The first idea was to cause a new breach in Parliament, and use this as occasion for proceedings similar to those of two years before: but this was rejected, as it seemed too dangerous to leave their adversaries in possession of power, if only for a day or two. Or again, they thought of inducing the minority to make a solemn protest against the majority: but this step, as we know, lay outside the ideas and precedents of the English House of Commons. At last the conviction prevailed that the army, which did not consist of mercenaries, had not only the right, but the duty, even without any forms of this kind, to avert the evil which it saw coming. With the modern idea that kings were bound to govern according to laws approved by the people, was united the doctrine, derived from the records of the remotest antiquity, that the country in which innocent blood had been shed could only be purified by the blood of him who had shed it: as now the King had incurred the chief guilt of the blood shed in England, the country, if it restored him to his power, would draw down upon it the vengeance of God[1]. In a meeting of officers of the army and Independent members of Parliament it was agreed not to endure a state of things which gave occasion for fearing so great an evil. They would have felt themselves fully justified in taking the government directly into their own hands: but as yet they could not do without the authority of Parliament, and moreover some of its principal leaders were in league with them. Their

pour conserver ce qu'ils ont acquis pendant ces troubles. Les principaux de ceux qui gouvernent, qui ont leur intérêt joint avec l'armée, ne sont pas du même sentiment.' Dec. 10: 'Le parlement, dont la plus part sont du parti contraire à l'armée, et plusieurs mesme de ceux qui étoient unis avec elle, ne voyent pas de bon cœur, qu'elle s'attribue une si grande autorité qu'elle fait.'

[1] Ludlow, Memoirs i. 267: 'I could not consent to the counsels of those who were contented to leave the guilt of so much blood upon the nation, and thereby to draw down the just vengeance of God upon us all.' The text of Scripture quoted by him (Numb. xxxv. 33) has in reality a totally different application.

resolution was ultimately to change the majority in the Lower House: and at a council of a few chiefs the names were settled of those who were to be excluded.

Everything was already prepared for the execution of these projects. The army, under the pretext of wishing to insure the payment of its arrears, had advanced to the capital, and occupied the positions in the suburbs most important from the military point of view, leaving the city militia to fulfil its duties in Westminster only. Meanwhile the King had been removed from the Isle of Wight, whence he might perhaps have escaped or been carried off to London, to the gloomy and solitary rock of Hurst Castle on the coast of Hampshire, where he was kept in safe custody. The army was already dominant over the two powers, the Royal and Parliamentary, which were trying to unite in opposition to it.

On December 4, 1648, the Parliament had still courage to protest against the removal of the King from the island, as having taken place without the assent of Parliament. On the 5th, as has been mentioned, it declared the King's answers sufficient to form a basis on which to negotiate for the restoration of peace, and that the conference should be with the King in person: General Fairfax was requested to take steps for the conveyance of the King to London. The Lower House still reckoned on the authority of the Parliamentary majority by which everything had been done hitherto: it could not yet believe that any personal injury could be inflicted on a born king after he had made the greatest concessions possible to him, but still thought to advance in the course of devoloping its ancient rights, when suddenly it was recklessly checked by the power of the sword.

On the 6th of December the members, who saw themselves threatened, but were still conscious of their former strength and importance, repaired to St. Stephen's Chapel, with the intention of causing the King to be brought to London for the opening of definite peace negotiations. When they arrived they found no longer the guard of city militia: picquets of the army had occupied Westminster early in the morning and had driven off the militia. As the Presbyterian members ascended the stairs, or entered the ante-chamber, they were

arrested. They asked by whose orders, and under what commission this was done, for they still thought that a valid order could proceed only from themselves, and must be based on parliamentary resolutions. Like Joyce at Holmby, Colonel Pride, who was on duty at Westminster, pointed to the line of soldiers with drawn swords and lighted matches. The House when it assembled sent its sergeants to summon back into the chamber the members who were detained in the adjoining Queen's court: the result was that next day those who had prompted this step were also arrested.

The number of members excluded was reckoned at ninety-six, those arrested at forty-seven: only those were allowed to take any further part in the sittings who signed a protest against the vote of December 5, of whom there were about eighty[1]. But in spite of this scanty number they proceeded to act as though they formed the true Parliament. They carefully revoked all that had been done in opposition to the resolutions passed at the beginning of the year, so that these latter regained their full force. This was a far more violent proceeding than that of two years before. Then the army had reinstated at their own request the members who had fled in consequence of tumultuous scenes; now it had no pretence of a legal justification.

This was the time at which the elections for renewing the Common Council took place in the city: and doubtless, had they been free, they would have given results favourable to the King and to peace. The transformed Parliament ordered that no one should be admitted therein, or hold any city office, who had favoured the Scottish invasion, or had shared in the tumults which had taken place during the last year in London and its neighbourhood. Neither among the city authorities nor in Parliament was any man to be endured who did not recognise the authority of the army, or who might oppose its interests.

On December 9/19 some regiments of horse and foot again entered London. They imposed heavy contributions, and

[1] Godwin's Commonwealth ii. 648.

arrested the suspected and their opponents[1], but otherwise maintained strict discipline. The city was bridled, the Lower House transformed into a mere instrument of the army: it could now proceed to do what had long been intended, and bring the King to legal trial as the great criminal.

Even as the prisoner of the army Charles I, since it had broken with him, had twice become dangerous to it, once through his treaty with the Scots, and again through his pacific dealings with Parliament. He was so still at this moment: so long as he lived the Independent leaders, who had laid violent hands on him, felt their own existence threatened by his. They thought that they must either condemn the King, or themselves be accounted guilty[2]. Moreover his condemnation would imply the complete victory and sanctioning of their principles.

In the present state of the Lower House there was no difficulty about carrying through the impeachment. The King was therein designated as Charles Stuart, at present King of England. He was first charged with the same crime for which Strafford had been condemned, namely with having sought to overthrow the ancient liberties and fundamental laws of the nation, and to introduce a tyrannical and arbitrary government. The second and chief accusation was that he had caused civil war, and filled the country with rapine and bloodshed. His punishment was demanded chiefly that henceforth no magistrate might hope to remain unpunished, if he tried to bring the English nation to bondage or to any other form of ruin. The draft was accepted in the Lower House on January 1, 1649, and the next day was sent to the Lords.

They had assembled in greater numbers than usual: as a rule there were not more than four of them, now there were twelve, and their opposition was unanimous. Lord Manchester declared it inconceivable that the King should

[1] 'Voulant être assurés de ceux qui peuvent entreprendre quelque chose contre eux, et qui sont capables de l'exécuter.' Sheriff Brown, Massey, and Walter are specially named.

[2] So said Scot in the year 1658: 'We were either to lay all that blood of ten years upon ourselves or upon some other object.' Burton's Diary ii. 387.

be accused of high treason against Parliament, for Parliament consisted of King, Lords, and Commons, and there could be none without the King. Lord Northumberland remarked that nineteen twentieths of the inhabitants of the country were doubtful which of the two parties had begun the war, and that there was no law to meet the case; it would be unreasonable to proceed where the facts were doubtful, and even if they were certain no law was applicable. Then the proposal for erecting a court of justice to try the King came on for discussion. Denbigh, the Speaker of the House, who found his name among those who had been designated as members of this court, declared at this point that he would rather let himself be torn in pieces than take part in so abominable a thing. The two drafts were unanimously rejected, and the House adjourned for a week, that it might not be further troubled with the matter immediately.

As the House of Lords thus refused its co-operation, so that no vote of the two Houses of Parliament was to be expected, on what ground of even colourable legality could any further proceedings rest? In the earlier conflicts the idea had been mooted that the Lower House represented the nation, and might go its way without the Lords; but this had never yet happened. The view too that Parliament of itself possessed the supreme power, though it had now and then been expressed, had as yet found no approval in Parliament itself. It had based the authority which it exercised on the fiction that the King's will was virtually contained in the resolutions of the two Houses. Now however no further use could be made of this, and a principle was wanted, which should dispense with all reference to King or Lords: the idea they adopted was that of national sovereignty, and of its being represented by the Commons.

On January 4 the Lower House formed itself into a Committee to draw up resolutions stating the extent of its rights. For this purpose it laid down three main principles, that the source of all power, under God, was in the people; that the supreme power belonged to the Commons, as having been elected by the people and representing it; and that what they declared to be law was so, even without the assent of the

King and the Lords. After the House had resumed, these principles were recognised by one member after another[1]. It was in itself an event of incalculable importance that an idea originating in the realm of philosophic abstractions, after having been adopted by a strong faction possessing the power of the sword, thus obtained acceptance in the ruling constitutional body of a great nation. No single political idea in the course of the last few centuries has exercised an influence at all comparable to that of the sovereignty of the people. Repressed at times, and influencing only opinions, and then breaking out again, often recognised, but never realised, and always making its way, it has furnished the ever active leaven of the modern world. The Scots had thought to unite the sovereignty of the people with monarchy by divine right: but the Independents opposed the latter with vigour. The idea of popular sovereignty was adopted in its full strength, but at the same time, it must be owned, in a form which contradicted its substance. The theoretical maintenance of the fullest rights of popular independence was coupled with practical subjection to military power.

In the House of Lords, in the absence of Manchester and Northumberland, a proposal was made by way of compromise for a lawful resolution, by which it should for the future be accounted high treason if a King levied war against the Parliament and realm of England[2]: in such a case he should be tried before Parliament. The difference is obvious, as thereby the old constitution, and also the safety of the King, would have been secured. But on the grounds of the principle once adopted and recognised as valid, before which all formal legality vanished, the Lower House as then constituted deemed itself justified in proceeding on its course. It resolved that the ordinance rejected by the Lords for erecting a tribunal to

[1] Journals vi. 111. 'That the people are under God the original of all just power; that the Commons of England in Parliament assembled, being chosen by and representing the people, have the supreme power in this nation; that whatsoever is enacted or declared for law by the Commons in Parliament assembled hath the force of law, and all the people of the nation are concluded thereby, although the consent of King or House of Peers be not had thereunto.'

[2] Levy war. Journals of Lords, January 9.

judge the King should be issued in the usual forms of English procedure. Accordingly the Commission already named assembled and appointed a high court of justice, the members of which were immediately nominated. A far greater number, originally 150, had been intended, but not more than sixty or seventy actually met, only four of them being lawyers, one of whom, John Bradshaw, was chosen president: the rest were generals and colonels in the army, members of Parliament, country gentlemen, aldermen, and citizens of London, and some lords, like Thomas Lord Grey of Groby, adherents of the army and its ideas. All was prepared for its sittings to begin in Westminster Hall on January 20.

Charles I might probably still have escaped the night before he was removed from Newport (November 29). His attendants represented to him that it was now no less necessary, and quite as possible, for him to fly as when he was at Hampton Court. But the Parliament at the opening of the conferences had not only taken precautions which made success at least doubtful, but had also obtained from him a promise not to quit the island during the conferences or for twenty days afterwards. He was told in vain that the state of things had altered, since it was no longer Parliament, but the army, that governed. Although this Prince, so long as he was free, was fond of dealing with different parties on contrary principles, yet when he had once given his word he deemed himself irrevocably bound by it. When the question was pressed upon him, he answered by a flat refusal. 'They have made a promise to me, and I to them; I will not be the first to break mine[1].' Charles I had scarcely an apprehension that the views of the Agitators, before which he had fled from Hampton Court, were now shared by the officers who had once prevailed over them. But the disrespectful violence with which he was carried off, at the moment when he was expecting peace, made a crushing impression upon him. When his friends gathered round him to kiss his hand at his departure, they saw for the first time clouds on his brow and melancholy in his demeanour.

[1] Colonel Cooke's narrative, November 29, in Rushworth vii. 1347. Cp. the resolution of Parliament of August 5.

At Hurst Castle the fear seized him that he should be murdered there. It was more a blockhouse than a castle, having been built by Henry VIII for the defence of the coast, on a tongue of land projecting into the sea, with the waves beating round it on all sides but one, with narrow, dark, and prison-like rooms. No good was presaged on seeing the governor, a man of stern looks, long thick black hair and beard, a huge sword by his side, and a partisan in his hand. The King had been before warned against Major Harrison, as a man quite capable of putting him to death. When in the night the drawbridge was heard to fall, and it was announced that Major Harrison had just arrived, the King really thought that this man was going to murder him, as some of his ancestors had been secretly and treacherously slain: the place seemed to him just suited for such an act. Harrison however was very far from harbouring the thought ascribed to him: he came to bring the King the acceptable tidings that he was to be removed from the worst to the best of his castles, that of Windsor.

On the way he was greeted at Winchester by a portion of the gentry with the old respect; at Windsor he felt almost at home again; his former apartments had been prepared for him, and he was served at table, for instance, with the ancient ceremony, the cup-bearer presenting him the cup on his knee: a walk on the beautiful terrace was naturally far more pleasant than his view at Hurst Castle over the lonely sea. Now for the first time he heard what had taken place in Parliament, and that the party which had been negotiating with him was ruined. He began to be afraid that they would deprive him of the government: he thought that they would offer the throne to his son, and confine him in some fortress, perhaps the Tower: of this he was convinced. When informed that he was to be brought to London, he exclaimed 'God is everywhere.'

It was not a long imprisonment, nor secret murder that awaited him, but what no one had expected, a formal trial in the full glare of publicity. At St. James's, whither he was at once conducted, the forms of homage with which he was accustomed to be served were finally dropped: and on

January 20 he was brought before the tribunal which was to pronounce sentence of life or death on him. There was much suspense as to whether he would recognise the tribunal and answer to the accusation. The Independents intimated that, if he defended himself, fourteen days would be necessary for his trial, but that, if he refused, the end would be reached in four days [1].

The members of the court kept on their hats when the King entered Westminster Hall, conducted by Colonel Tomlinson and an armed escort: he too did not uncover his head. They did not recognise him as their king, nor he them as his judges. At the first words of the indictment, which said that the supreme power had been entrusted to him by the people, he interrupted the clerk who was reading it with the remark that he possessed the royal power by hereditary right, it had not been entrusted to him (by men): the violent expressions which followed, in which he was described as a traitor, a murderer, and a public enemy, he received with ironical laughter. Then the Lord President requested him to answer to the indictment; in reply, he asked first to be informed by what lawful authority he was here tried: he would submit to any such, but to recognise an unlawful authority would be to violate the duty he owed to God. Further than this he could not be induced to go. As his went away his eyes fell on the sword which lay on the table: he said that he was not afraid of it [2].

The next sitting, on January 22, is not without interest controversially. At a meeting of the judicial commission with the Lower House it had been decided that the King could not be allowed to call in question its legality, even conditionally: the sitting was opened with a declaration that the court had weighed the objection made by the accused, but had convinced itself that its competence, being founded on the authority of the Commons of England, admitted of no doubt. The King was astonished at their giving him no

[1] Grignan.

[2] So says Ludlow. In the 'Perfect Narrative of the Whole Proceedings' the reply appears somewhat later. The account in the State Trials is compiled from this pamphlet and Rushworth.

reasons, and went on further to develope his own. He said that he had been defending not his own cause only, but had been standing up for the rights of the people: for if a power raised itself up without law, and wanted to make laws and to upset the fundamental laws of the realm, who in the country would be secure of his life or could call anything his own? The President interrupted him with the remark that the court sat there in the name of the Commons of England, to whom the King was answerable, like his forefathers. The King rose and said that he desired that any precedent could be shown him, for the Commons of England had never been a court of justice. He was not allowed to say any more: when he was again alone, he wrote down what he had intended to say. It was mainly that that procedure only could be lawful which was by the law of God, or by the law of the land. No one would maintain that the former allowed any proceedings against the King, for the Scripture said that where the word of a king was, there was power, and no man could say to him What doest thou? Nor could the King be tried according to English law, for every indictment ran in his name, and the old principle was that the King could do no wrong. Charles I, in maintaining his superiority in opposition to the supposed commission of the people, which moreover had never been asked for [1], returns always to the necessity for laws and a government to protect life and property. But what was the case then? how had the two Houses of Parliament been treated? The Upper House had been thrust aside, and most part of the Lower excluded from the sittings by force or terror. What would be the result if a power, governing without order or law, sought to overturn the old form of the constitution under which England had flourished for centuries? He had been brought there against his will, but he was defending along with his own rights the liberty of the people also.

It is not stated in the protocols, but a member of the court has related, that the King's appeal to his divine right

[1] The King's reasons against the jurisdiction of the Court. Rushworth vii. 1403. Hume has given things as said which were only written, as the historical method of his age allowed him to do.

was met by a similar claim on behalf of the Commons. He and the people had appealed to the sword, which had decided in favour of the people: but the people would not hold the sword in vain, but sought expiation for the blood that had been shed. It might have been in reference to this that the King added, that he had taken up arms to maintain the fundamental laws of the realm.

The question in this trial is not strictly one of legal procedure. It brings to light the opposition of the two powers which move the world, the inherited, historically formed power, interwoven with existing laws and prevailing social ideas, and that which ascribes to the representation of the people, even though, as in this case, highly imperfect, an unlimited authority before which all historical rights vanish. The idea of the sovereignty of the people and the divine right of kings enter as it were into a bodily struggle with each other.

It almost seems as if Charles I had felt tempted to answer, for he spoke readily and in these days well[1]: it seemed to him easy to rebut the accusation in single points, and to bring his innocence to light; but this would have constituted a recognition of the tribunal, which he would never allow to be laid to his charge: he would have deemed it to be sanctioning illegality, and sacrificing the rights and dignity of his crown.

The tradition goes that at this juncture offers were once more made to him by the army: he was promised that his life should be spared, that he should even retain the crown, if he would agree that the army should remain as an independent body under the officers which it then had, or which the council of war should name, and be empowered itself to collect, by the aid of an extensive martial law, the land-tax to be devoted to its pay. Charles I is said to have answered that he would not subject his people to the arbitrary power of an armed faction: he would sacrifice himself for his people.

[1] His words in the sitting of January 27. 'If I had a respect to my life, more than (to) the peace of the kingdom, the liberty of the subject, certainly I should have made a particular defence for myself.'

At the request of the Prince of Wales the States-General sent an extraordinary embassy to intercede for the King's life; but the Lower House did not think proper to give them an audience. Queen Henrietta prayed for leave to come back and be with her husband: the contents of her letter were known, but Parliament set it aside unopened. The French ambassador did not venture to interfere: he was afraid that it would not only avail nothing, but irritate them against France; for there was already a talk of aiding the insurrection which had broken out in Paris[1]. At last Mazarin determined to send De Varennes to London as ambassador-extraordinary, warning him at the same time that he must avoid injuring the interests of France by his intervention on behalf of Charles I; but De Varennes had not gone further than Boulogne before all was over in London.

At St. James's Charles I seems to have cherished the belief that his life would not be touched, because, according to ancient usage, his death would totally destroy the legal rights of Parliament: but the theory already adopted had made this custom meaningless.

Undeterred by the King's protestations, or by any considerations of this kind, the court, after some evidence had been taken, resolved, on the sixth day of the proceedings, January 25, to condemn the King to death as a tyrant, a traitor, a murderer, and a public enemy of the commonwealth of England. Two days later the sentence was to be made known to the prisoner. The King then asked for one more hearing before the two Houses; not that he would have had any special proposition to make, but that he wanted an audience before whom to speak his mind. The President remarked that this amounted to the King's wishing to speak to the members of the court without acknowledging its authority. Without further delay the sentence was read, by which Charles Stuart was condemned to death for his treasons and crimes. Charles again tried to speak,

[1] Grignan, January 11/21: 'Cette poursuite inutile pour le roi pourroit estre fort préjudiciable aux affaires du roi. Ce qui s'est passé à Paris est fort considéré ici, il s'est proposé de faire offre d'assistance.'

but was prevented with insulting haste. 'They cannot endure' he said, 'that their King should speak to them: what justice have others to expect at their hands?'

Life was over: after preparing himself, with the assistance of Bishop Juxon and by receiving the Sacrament, to appear before God, and give account to Him to whom alone he felt that he was answerable, he had only one royal and fatherly duty to perform: he sent for his two children who were at hand (they were living at Sion House), his daughter Elizabeth, aged thirteen, and his youngest son Henry of Gloucester, who numbered nine years. He told the boy that the army intended, it was reported, to make him King, but that he had two elder brothers, and would endanger his soul and forfeit his father's blessing, if he accepted the crown. He begged his daughter not to grieve on his account, for it was a glorious death that he was to suffer, he was dying for the laws and liberties of his country, and for the true Protestant religion. He advised her to read Laud's book against Fisher to strengthen her in this faith. He advised her and her sisters to obey their mother, his son James to reverence his elder brother as his King. That this latter would ascend the throne was to him beyond all doubt. Then, said he, they would all be happier than if he had remained alive (he meant under the conditions which he had accepted at Newport): he had forgiven all his enemies, and his children might do the same; but they must never trust them, for they had been false to him and, as he feared, to their own souls. He added withal that he died as a martyr.

He had often expressed the wish once more to meet the people of his capital, who had again inclined in his favour: it was granted to him on the scaffold. This was erected at Whitehall, on the spot where the kings were wont to show themselves to the people after their coronation. Standing beside the block at which he was to die, he was allowed once more to speak in public. He said that the war and its horrors were unjustly laid to his charge; the guilt was with those who had robbed him of his lawful authority over the armed forces. Yet God's judgments were just, for an unrighteous sentence which he had once permitted was now

avenged by a like sentence on himself. If at last he had been willing to give way to arbitrary power and the change of the laws by the sword, he would not have been in this position: he was dying as the martyr of the people, passing from a perishable kingdom (the phrase is his own) to an imperishable. On the suggestion of the bishop he again declared that he died in the faith of the Church of England, as he had received it from his father. Then bending to the block, he himself gave the sign for the axe to fall upon his neck. A moment, and the severed head was shown to the people, with the words—'This is the head of a traitor.' All public places, the street-crossings, and especially the entrances of the city, were occupied by soldiery on foot and on horseback. An incalculable multitude had however streamed to the spot. Of the King's words they heard nothing, but they were aware of their purport through the cautious and guarded yet positive language of their preachers. When they saw the severed head, they broke into a cry, universal and involuntary, in which the feelings of guilt and weakness were blended with terror—a sort of voice of nature, whose terrible impression those who heard it were never able to shake off.

To some it will appear scarcely allowable, in the light of our times, to revert to the question how far the words repeatedly uttered by Charles I in the solemn moments between this life and eternity, that he died as a martyr, really expressed a truth. Certainly not so in the sense that has been attached to them, that he was merely a sufferer who lived and bled for the known truth. He was rather a prince who all his life long fought for his own rights and power, which he, if ever man did, personally exercised, seeking at first to extend, and later only to defend them, by all means in his power, open and secret, in council and in the field, in the battle of words and with actual weapons, and who perished in the conflict.

Let us figure to ourselves the characteristics of the several epochs of his government. For the nature of a man does not appear at once: it is rather in the separate phases of his life that his real self is developed, and the attributes which compose his character are exhibited.

In the first stage of his public life Charles I, like most princes on their accession, seems to have felt a certain wish to be popular. Filled with personal antipathy to Spain, he rejected, even in his father's lifetime, his system of foreign and domestic policy, which certainly gave occasion for some blame, but was universally circumspect. After he had ascended the throne he followed the same course, but then he discovered the strength of the forces which he had undertaken to resist, and the untrustworthiness of the elements on which he relied for support. In foreign affairs, especially German, he rather increased the evils and complications: we find him at war with the two great powers, between which his father had sought to steer: but at last he contented himself with a neutral position, after concluding peace with them both. In domestic politics the popular principles which he had at least partially recognised and then sought to prevent from attaining general acceptance, arrived at a full consciousness of their strength: the King stooped to neutralise by secret protests the concessions which he could not publicly refuse to them. In all things he appears never self-reliant, rather enterprising and active than of steadfast strength; justified in his own eyes, but not before the world, which above all things desires firmness and success.

There followed a period of tranquillity at home and peace abroad. The King turned his activity to commercial enterprise, and occupied his intellect with literature and art, in which he found endless delight. Intellectual conversation appeared to him the greatest of all pleasures which man can enjoy. His wife afforded him this through her attendants as well as herself, and it was for this that he first valued her. At the same time he came back to the idea of completing his father's system, of subjecting the three kingdoms to ecclesiastical uniformity, and extending the royal prerogative so far that no parliamentary claims should have a chance of shaking it. He appears dignified, tranquil, polished, but inclined to violent repression and systematic coercion.

Then the storm broke upon him, with a universal movement of disobedience and resistance. After some violent efforts which were unsuccessful, at sight of the general desertion

the King was impressed with a feeling that he had gone too far. To a harsh stubbornness, which seemed incapable of being shaken, succeeded a compliance even disgraceful. The men who had most powerfully represented the royal ideas were abandoned, and concessions never to be revoked were granted to their opponents. All seemed to depend on satisfying their claims, so as to establish an equilibrium between prerogative and parliamentary rights, when at last he discovered that this was impossible. The great current of European affairs, which had taken a turn in favour of purely Protestant ideas, aided his opponents, who had before all things adopted these opinions. When Charles I prepared to resist them, he caused the full development of the hostile powers, and saw himself reduced to the necessity of abandoning his capital to them. This was for him a period of manifold errors, of false and deceitful policy, of secret agony.

When now the inalienable rights of the crown, and not only the political influence, but the status and possessions of the Episcopal Church were attacked, the King's innate antipathy to the demands made on him revived in all its strength. Free from the accidental and changeful influence of the capital, in the air of the distant counties where the old notions of the monarchy still had life, under the influence of his wife, who though insulted and a fugitive was still active from a distance, he resolved to take up arms. Then he showed himself courageous, warlike, not without strategical talents: he had successes which gave a hope of the restoration of his authority. But his enemies not only gathered foreign forces against him, but developed in their midst a fanatical and also military faction, which went far beyond their original tendencies. The King did not hesitate to oppose both with a zeal which far exceeded his real strength. By his orders the battle of Marston Moor was fought: he himself decided at Naseby not to wait for the attack of the enemy, but to advance against them. Thus he failed in the field, and the defeat scattered his adherents.

James I had probably during his lifetime too high an idea of the strength of his opponents; Charles I certainly had too slight a one: just as at the beginning, when he provoked war

with Spain, so at the time when he sought to impose his ecclesiastical laws on the Scots—undertakings from which all his difficulties proceeded—he knew neither the depth of the lawful desires of Parliament, nor the purport of the opposition already begun: he cherished splendid hopes when nearest to his ruin. For he trusted chiefly to the intrinsic power of the rights and ideas for which he fought. Though imprudent in his undertakings, he was at bottom of solid understanding: often undecided and untrustworthy—we know how fond he was of having two strings to his bow—he never lost sight of the high importance of his cause: he was naturally inclined to concessions, but neither the threats of his enemies nor the entreaties of his confidants could induce him to cross the line which he had marked out with sagacity and conscientiousness, in religion and politics: he held immoveably the convictions on which depended the connexion between the crown and the established Church. In misfortune he appears not without moral greatness. It would have been easy for him to save his life, had he conceded to the Scots the exclusive domination of Presbyterianism in England, or to the Independents the practical freedom of the army, as they themselves desired. That he did not do so is his merit towards England. Had he given his word to dissolve the episcopal government of the Church, and to alienate its property for ever, it is impossible to see how it could ever have been restored. Had he granted such a position to the army as was asked in the four articles, the self-government of the corporations and of the commons, and the later parliamentary government itself, would have become impossible. So far the resistance which he offered cannot be estimated highly enough. The overthrow of the constitution, which the Independents openly intended, made him fully conscious, perhaps not of their ultimate intention, the establishment of a republic, but certainly of his own position. So far there was certainly something of a martyr in him, if the man can be so called who values his own life less than the cause for which he is fighting, and in perishing himself, saves it for the future.

END OF VOL. II.